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of Ontario

First Session, 35th Parliament

Official Report of Debates (Hansard)

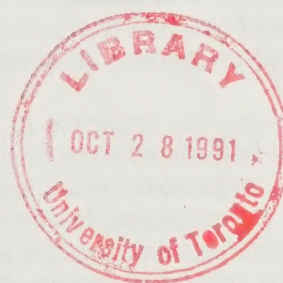
Wednesday 23 October 1991

Assemblée législative
de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le mercredi 23 octobre 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Under the new system, the sequence of numbering started in January 1991 will end with the final House and committee sittings of the present First Session. A new sequence will begin on the opening day of the Second Session, and each succeeding session, which will be issue 1 and begin with page 1. Committee reports likewise will be numbered from the first sitting of each committee in a parliamentary session.

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Avec le nouveau système, la numérotation commencée en janvier 1991 s'arrêtera à la dernière séance de la Chambre et des comités de l'actuelle première session. Une nouvelle série commencera le jour de l'ouverture de la deuxième session et des sessions suivantes : numéro 1, page 1. Les rapports des comités seront également numérotés à partir de la première séance de chaque comité pour une session parlementaire donnée.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 23 October 1991

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

YORK REGION DISTRICT HEALTH COUNCIL

Mr Beer: In August 1989 the former Liberal Minister of Health set up a steering committee to examine the feasibility of creating a district health council for York region. York region, with approximately 475,000 residents, is the most populous area not served by a district health council.

The steering committee concluded its work in June 1990 and recommended the establishment of a district health council. Last fall in this Legislature I asked the previous NDP Health minister when the district health council would be created. "Be patient," we were told. "All will come to pass."

Later, in the spring of 1991, after no action was taken, a number of municipal councillors and service providers met with the four MPPs of York region to ask for help in again requesting the creation of the district health council. Indeed all four of us signed a letter to the minister dated March 25, 1991.

On July 11 the present minister wrote to say that the government "intends to proceed with the establishment of a new district health council for the region of York." The minister added that a chairperson would be appointed as soon as possible. It is now three and one-half months since that letter was sent out. As of today, no chairperson has been appointed and no date has been set for the creation of the York Region District Health Council.

The role of a district health council is critical to the planning needed to ensure a first-class health system in York region. The question that everyone is asking is, when will the minister announce the formation of the York Region District Health Council? We need some action and we need it now.

HOSPITAL FINANCING

Mr J. Wilson: Yesterday the Collingwood General and Marine Hospital was forced once again to lay off staff in order to balance its budget for the next fiscal year. It is mind-boggling that the NDP government continues to kick the people of Collingwood when they are already down.

Both the General and Marine and the Stevenson Memorial Hospital in Alliston have attempted to play ball with the Health ministry and have made significant cuts to their operations in the past four months in order to reduce their deficits.

It is ironic that while the Premier champions the cause of a social charter in the national constitutional debate, he refuses to assist hospitals here at home. It is also ironic that this same government that was so eager to accept praise for increases to nurses' salaries now refuses to acknowledge that hundreds of nurses are being laid off, others

cannot find work and hospitals have reduced services as a result of the government's decision.

The Minister of Health recently informed the Ontario Hospital Association that no funding for inflation will be made available to hospitals in the 1992-93 fiscal year. Hospitals have been forced to shoulder additional costs as a direct result of provincial initiatives. Hence, it is reasonable to ask that hospitals be permitted to have their remaining deficits included in their base budgets.

The minister must assume responsibility and move immediately to provide direction for hospitals so that they can effectively plan for the future. Further silence is not the solution.

SCIENCE AND TECHNOLOGY WEEK

Mr Fletcher: The University of Guelph has one of the largest nutrition science departments in North America. On Monday a group of professors held a public forum on nutrition to mark Science and Technology Week.

The panel consisted of Professor Tammy Bray, who is the president of the Canadian Association of Biological Sciences, and professors Bruce Holub, Trevor Smith, Laura Nagy, Bill Woodward and Bill Bettger. They told a packed audience about the ways nutrition can prevent disease, and we all know that disease prevention is a big health strategy for the 1990s.

This forum is just one more example of the university transferring knowledge to the community, and this is a result of funding from the province.

I congratulate the University of Guelph faculty for choosing a timely and relevant subject to recognize Science and Technology Week in our riding. It is characteristic of the type of conference held at the University of Guelph.

RENT REGULATION

Ms Poole: The government's rent control bill, Bill 121, is in limbo. This past summer we held public hearings on Bill 121, but when it came time to introduce amendments in clause-by-clause, the committee meetings were abruptly cancelled. Despite the fact that the week of September 16 had been set aside for some months, the government cancelled because three of its members had made personal plans for that week and were not available.

Since then committee meetings on Bill 121 have been cancelled for the weeks of September 26, October 3, October 10, October 17 and October 24. The reason? Apparently the government is not yet ready with its amendments. The government has obviously bungled its rent control bill so badly that it does not know where to go from here.

We are now paying the price for the mockery of a consultation we endured prior to the introduction of Bill 121. Bill 121 pleases no one. Tenants feel betrayed and landlords feel victimized. If the government had really listened before introducing the bill, this would not have come as such a surprise.

Every week I mount my white charger with amendments in hand ready to do battle on behalf of the people of Ontario, but every week the government fails to respond to the challenge. In fact, it appears they are not even able to find their horses, let alone mount them. It has to change. We want Bill 121 to go back to committee.

1340

PROTECTION OF IN-CARE RESIDENTS

Mr Jackson: Members will recall the Grandview Training School for Girls sex abuse case, which I first raised in the House in June 1991. The number of women who have bravely stepped forward to date to lay complaints is now 14. According to police, this number could turn out to be only a drop in the bucket once all the facts become known about their investigation.

The nature of the complaints constitute a horror story of outrageous human indignities suffered by vulnerable women who were powerless to defend themselves in a system which was uncaring about their suffering as victims of the crime of sexual abuse.

Police are hopeful that charges will be laid and, according to observers, political pressure, thanks in large part to the Kitchener-Waterloo Record and the questions raised by our caucus in this House, was a significant factor in ensuring a complete investigation was done.

This should tell the Premier that he, his Attorney General and his former Minister of Community and Social Services were wrong not to hold a full provincial inquiry to protect young people from sexual abuse in provincial institutions in the future. This makes the public stance taken by the Premier, as opposition leader, to call for a provincial inquiry into nursing homes in 1985 that much more hypocritical when his commitment to these young victims at Grandview is now so lacking. This should also tell the new Community and Social Services minister to avoid guilt by association and move quickly to initiate an inquiry as soon as possible.

The women of Ontario are tired of hearing the Premier's public relations rhetoric on the rights of victims. Actions speak louder than words, and without concerted government action, words, no matter how loudly spoken, will not drown out the cries of suffering of these victims who have no one in this government, it would seem, to defend and protect them.

GREEK CELEBRATIONS

Mr Malkowski: I would like to take this opportunity to tell the House about two very special events taking place this Sunday, October 27.

I, along with many others, will be joining the Greek community in celebrating National OXI Day. This event is of importance to all of us as a commemoration of the Greek resistance to fascism which began in October 1940. Once again, this occasion will be marked by a parade along Danforth Avenue and a wreath-laying ceremony at the city hall cenotaph.

On the same day the Greek community will be celebrating the liberation of the city of Thessaloniki, which took place on October 26, 1912. Toronto has the distinction of being Thessaloniki's twin city. I have the privilege

of being guest of honour at this festival and declaring Sunday, October 27, as Thessaloniki Day 1991.

INVESTIGATION INTO RELEASE OF DOCUMENTS

Mr Scott: Yesterday an event occurred in the House which I do not believe, in the interests of parliamentary democracy, should go unnoticed.

The honourable member for St Catharines raised with the Premier the fact that on at least two occasions and perhaps others representatives of his government had sent the OPP to interview members of the Legislature and, I believe, others about how information, in accordance with democratic tradition, had come into their hands from the bureaucracy.

The Premier, in a desperate and, I believe ultimately to the public were to be the judge, unsuccessful effort to separate himself from this shocking conduct, said that no member had, as far as he knows, been harassed. The honourable member for Halton Centre then rose and explained that the OPP had said she might indeed be criminally charged. The Premier fled the chamber.

I think what this Legislature is entitled to have is a statement from the leader of the government about the guidelines that exist in this government with respect to police investigations of members of the Legislature, the press and others who may have access to bureaucratic material designed to show the incompetence of the government. This is an important parliamentary privilege and should be acknowledged by the House and the Premier and safeguarded today.

ASSISTANCE TO FARMERS

Mr Villeneuve: Today, I am sorry that I find it necessary to report to members about more problems with the emergency assistance package recently announced for Ontario farmers.

We already know the entire package could have been utilized in Essex county alone to compensate for the terrible drought and for prices this year. However, the shortcomings of the assistance package do not stop there. The minister is aware that the \$15 million he has put into the provincial stabilization program for grain and oilseed producers will not help growers of farm-fed grains. These growers represent Ontario's livestock and dairy industries.

It would seem that members opposite and the minister have forgotten the serious damage that has been done to Ontario's cattle industry in the last five years. One year ago, this government was announcing a special feeder assistance program because the situation was so bad. This year, when things are even worse, the government has decided to ignore the industry and cut it off from help.

I would hope that members opposite have learned by now that it costs less to buy a ton of grain than it costs to produce it. The government, in its announcements by the minister and the Treasurer, mentioned that it had consulted the NDP rural caucus. If those statements were true, and I believe them, then we have an obvious example of the NDP rural caucus either not hearing, not understanding or deliberately deciding to ignore the largest sector in Canadian agriculture. This must be changed.

CONSTITUTIONAL CONFERENCE

Mr Drainville: I want to take this opportunity to inform the House about the very successful constitutional conference we were able to sponsor as a select committee last past week. I would also like to say that it is a measure of the very strong work and commitment that has been made by all members of the House, and particularly by those members who served on the select committee, and if I might even say, by those particularly on the subcommittee. The member for Cochrane South, the member for Ottawa-Rideau, the member for Willowdale and myself worked over a long period of time to ensure that we would have a forum that would be open and would afford the people of Ontario an opportunity to speak directly about the issues that are on their minds and the concerns they have about the future of this province in Confederation.

I would also like to say that in the process we had last week there were many members of this House who were part of it. I want to say how happy I am that they acquitted themselves well and presented their views with a certain judicious approach. Also, I would say that the people who came to that conference were people who although they had passionate views, were able to express them with a spirit of generosity and openness that was a credit to the people of Ontario. It is with great pride that we in this House can say that we have gone a long way to open up the process after Meech Lake and draw the views and concerns of the people of Ontario here into the forum of public domain.

VISITORS

The Speaker: Members are invited to welcome to our chamber this afternoon two members of Parliament from the Republic of Bosnia-Herzegovina, Mr Muhamed Resevljakovic and Mr Osman Brka. Both gentlemen are seated in the members' gallery west. Welcome.

INVESTIGATION INTO RELEASE OF DOCUMENTS

PARLIAMENTARY LANGUAGE

The Speaker: On Thursday, October 17, the member for St Catharines raised a question of privilege with respect to outside police forces interviewing members of the assembly and requested clarification of a ruling I had made earlier that day on this matter. The member for Etobicoke West also spoke to this matter, as did the Leader of the Opposition and the member for Scarborough-Agincourt.

First, let me say that the parliamentary privileges of members of the assembly were never intended to set members, including the Speaker, above the law. Such privileges were intended to give members and others certain special rights and immunities considered essential for the operation of the assembly. These rights and immunities allow the assembly to meet and carry out its proper constitutional role. They also permit members to discharge their parliamentary responsibilities and permit others properly involved in the parliamentary process to carry out their duties and responsibilities.

The Speaker is the custodian of the powers and privileges of Parliament, but my authority does not extend

beyond the legislative precinct with respect to the matters raised by the members last Thursday.

1350

In addition, the Speaker will not give a decision on a hypothetical question. The Speaker will, however, give a decision on specific and actual events that have transpired and have been raised in the House. In respect of the suggestion that I set out guidelines or criteria by which requests by police forces to interview an occupant of the Legislative Assembly precinct will be considered, I must say to members that the Speaker will consider each such request by a police force on a case-by-case basis.

Our precedents, the precedents of other legislatures and the parliamentary authorities are very clear on these points.

Although I understand the very real concerns of the members, for the above reasons I am not in a position to deal with them.

Also on Thursday last—I am sorry, but the member for Dufferin-Peel is not present in the chamber and I will reserve this part to when he is here.

On Thursday last and again yesterday, a number of members including the government House leader (Mr Cooke) and the members for Durham East (Mr Mills) and Sarnia (Mr Huget) raised points of order with respect to language used during proceedings in the House.

The rules against the use of offensive, disorderly or otherwise unparliamentary expressions are designed to ensure that proceedings are conducted with dignity and decorum and in a temperate and moderate manner. Language used in the course of our proceedings should be worthy of the place in which it is spoken. I remind members that although the responsibility for determining whether words or expressions used in the House are unparliamentary rests with the Speaker, they themselves must bear the primary responsibility for their conduct in the House.

I do not propose to deal any further with the points of order raised by the members, other than to say that I am greatly concerned about the use of certain expressions with reference to Nazi Germany. I regard such expressions as totally inappropriate for this chamber. As a general principle, in the future I will not allow such expressions directed to one side or the other of the House. If such expressions are used in the course of our proceedings, I will intervene and cause a withdrawal to be made.

Mr Bradley: Mr Speaker, on the first ruling you brought to our attention today, while I appreciate very much the fact that you are going to take whatever action you deem appropriate within your role and responsibility to protect members on our side of the House from what we would consider to be harassment or intimidation, to protect members from being interrogated by police forces within the precinct, within your jurisdiction, the concern members have—I suppose it is more to your stature as Speaker of the House than the legal responsibilities or legal confinements you have that I appeal when I say it—extends to constituency offices, to the streets of the province and to our homes.

By having representatives of the Ontario Provincial Police interview them, as happened with the member for

Halton Centre, about documents that fall into their hands, documents that are provided to them as part of the flow in a democratic process—it has been that way for a number of years—our concern is that two things are going to happen.

First of all, members are going to feel harassed by this activity. Members are going to feel intimidated. Others, perhaps not members of the Legislature, in the news media for instance, who come across these documents by certain methods are going to feel harassed and intimidated. Those who are genuinely concerned—I have heard the Chairman of Management Board speak about this—about the activities of the government and the problems they might create for the people of this province provide these documents from time to time to people outside the government. I am concerned those people will feel intimidated by the activities.

These activities obviously must be directed by someone, because the police force does not walk down the hallway of the Legislature or anywhere else, uninstructed, to initiate investigations of opposition members. I believe our rights and our responsibility as an opposition are limited very much and are abrogated by this activity on the part of the police force, a police force, as I say, that does not direct itself to do this, but has to be directed. In this case, all evidence points to the fact that someone in the government is directing this, and of course the Premier is responsible for all the government.

The Speaker: The member for St Catharines will appreciate that the definition of “precinct” over which the Speaker has jurisdiction includes this building, the grounds and the first two floors of the Whitney Block. While I fully understand and appreciate the concerns you have raised, the Speaker is not in a position to exercise any authority or control over any buildings or property beyond that which I have just described.

Mr Scott: Mr Speaker, I can respect the technical nature of your ruling, but there have now been a number of incidents in which the OPP, instigated by somebody, has conducted this clearly harassing activity, and I want to ask you to deal with a new aspect of the matter. If we take the case that was advanced in the House yesterday by the honourable member for Halton Centre, we see this: It was brought to her attention that there was some material available from the Ministry of the Environment, for which she was the official opposition critic at the time. She made that material public in some fashion, and someone, we know not who precisely, instigated the police to conduct an investigation of how it came into her hands.

The police attended on her twice in July, not within the precincts of the Legislature but in her constituency office—as close to the precincts, it seems to me, as you could possibly get—and indicated to her that they were conducting an official investigation—who instigated it they did not say—but it was possible that criminal charges would be laid against her, the member for Halton Centre. She consequently retained counsel to assist her. None of this is new, because this was disclosed formally by the member for Halton Centre in the House yesterday.

If the backbenchers on the government side have some difficulty in understanding how a police investigation that

may lead to criminal charges against the member affects the privileges of that member in responding to government issues, I cannot help them, except by saying that for generations in this House, opposition parties, whether they be Liberal or NDP—they were Liberal and NDP most of the time—have raised these questions about our ability to do our work when government material comes into our hands.

You have made the point, Mr Speaker, that in your view at this stage the precincts of the House do not include anything outside this building and two floors of the Whitney Block. I put it to you, with the greatest respect, that a constituency office, which is publicly funded and which I believe is run under the auspices of the Legislative Assembly and for the dissemination of government business, both government and opposition, should be treated, being in the nature of a non-partisan office, as part of the precincts of Parliament. If it can be said that a police officer could not come in here without your permission and threaten to charge the member for Halton Centre because she received a document from a public servant, can it really be said by this government that the OPP can simply go to someone's constituency office and have precisely the same effect?

Mr Speaker, I will bring this to a close shortly, but this is a critical matter. I understand perfectly the limitations that you say exist on your authority. I ask you to reconsider them, because I believe a constituency office is within the precincts of Parliament.

But even if it is not, is it not time that we have a statement from the leader of the government whose government instigated these investigations, knowing that the threat of police action and criminal charges might be made, and indeed have been made, against the member for Halton Centre?

We need a statement from the leader of the government about whether, now that he has the seals of government squarely in his hands, he is going to tolerate what he simply would not have permitted to happen a year and a half ago. All of us can imagine the bells that would ring and the screams that would go on about the privileges of the House if a police officer had told the member for York South he might be charged criminally if he had possession of a bureaucratic document. If the leader of the government remains silent, what has happened is this government has got into office and is not prepared to honour the parliamentary processes that it used and that played a part in getting it there.

1400

It is hard to think of an issue that is more important to every ordinary member of the House. If an OPP officer, if the instigation of a minister, a Premier or an official of the government, can go to our constituency office, in the presence of our constituents, to conduct an investigation and say, “Charges may be laid against you because of your parliamentary activity,” this place shuts down, because the harassment by a government that will permit that in a freedom-loving society is simply becoming intolerable. How can the honourable member for Halton Centre, who has a spouse and family, expect to forestall the operations of the OPP instigated by the ministry officials who threaten her

h possible prosecution? This is a serious matter and I be you will deal with it in that light, Mr Speaker.

The Speaker: While the authority of the Speaker with respect to the precinct and the definition of what the precinct is are very clear and unequivocal, at the same time members should know the Speaker will deal with any point of privilege raised regardless of where the action which is alleged to have occurred has in fact occurred. The Speaker will always be ready to entertain any concerns with respect to points of privilege and will deal with them on a case-by-case basis.

Mr Eves: On a point of order, Mr Speaker: I am not certain in my own mind what I heard you say your authority is with respect to these precincts and whether or not you will develop a policy. I believe you indicated that you are undecided about that. I do not think you should be decided about that. Constituency offices exist by decisions made by the Board of Internal Economy. They are decided by the Legislative Assembly and, in my opinion, are under the purview of the Legislative Assembly and the Speaker.

To get more to the point, I believe the ultimate issue and principle here is whether or not the ability of an individual member of the Legislative Assembly to perform his or her duties as a member is being affected by the actions taking place. I can recall similar matters being dealt with in this House. I think of a case of a bank literally threatening a member with respect to his amount of loan owing. I seem to recall that the member belonged to the same party that is now in government and I seem to recall the Speaker the day taking some action and deciding that the member's privileges had been breached.

Here we have, in my opinion and I dare say in the opinion of almost every other member of some objective opinion in this House, a far more serious matter: not a bank threatening to call a loan but a police force possibly being used to intimidate individual members and prevent them from performing their duties to their constituents, as every elected member has the right to do. Surely that is a matter for the Speaker and the government to look into.

The Speaker: The member for Parry Sound may recall that in the instance to which he refers a point of privilege was raised by the member affected. Whenever a point of privilege is raised and specific instances cited, the Speaker will be most pleased to review that to determine whether a prima facie case of privilege is in effect.

Hon Mr Cooke: I share some of the concerns that have been expressed by the opposition parties. I think there is a very substantial difference between the police investigating a leak and the source of a leak and the other question as described and reported by the member for Halton Centre, that the police are saying there is something legally wrong in having a document that has been leaked by the member.

If in your view, Mr Speaker, the rules or the Legislative Assembly Act are not adequate to address some of the concerns that have been expressed by the member, I think the three House leaders should look at this matter and address it through either rule changes or changes to the act,

whatever is required. If a leaked document comes to the attention or into the possession of a member, the member should be allowed to use that document but the government should obviously have the right to look into how a leak occurred. That is tradition and has occurred in the past.

I do not believe any police force should be able to go to a member of the assembly and say, "Because you have a document and the document is stolen, you can be charged." I think that is totally incorrect, totally wrong. If we need to change the rules and the Legislative Assembly Act to not allow that to happen again, then we need to do that as the three political parties in the House.

The Speaker: We have dealt with this at some length. The member for St George-St David, the member for Parry Sound and the government House leader each mentioned the precinct. The Speaker's authority is quite clearly defined, as is the term "precinct." Indeed, in a different way, members have raised on occasion some concerns with respect to security as it applies to the constituency offices. If the members of the House wish to alter the definition of "precinct" to include the constituency offices, obviously that is a matter to which the House can address itself. It is not something the Speaker can unilaterally change.

Mr Scott: Mr Speaker, may I—

The Speaker: The member for St George-St David, is this a different matter?

Mr Scott: It essentially is. Your Honour has indicated that because of the definition you give to "precinct" you are not able to inquire, but you have made entirely plain, as I understand you, that if there are concrete cases of privilege to be investigated, you will undertake those investigations on a case-by-case basis. There is such a case. Yesterday in the House the member for Halton Centre said that after she received information—

The Speaker: I am sorry. I do not mean to curtail the member in flight, but perhaps this will be of assistance: If the member for Halton Centre has a point of privilege which she would like to raise with the Speaker, the Speaker would be delighted to hear that point of privilege.

Mr Scott: With the greatest respect, it is not that she has one in futuro. The reality is that she raised it yesterday. On page 3057 of Hansard, she said, "On a point of privilege, Mr Speaker," and then went on to describe the government investigation being undertaken by the OPP. She did not say the event had happened in her constituency office, but I am told it happened there twice.

She went on to say: "Indeed, in that case I had to ask for my own solicitor, because I was told by police that there may well be charges laid against me for participating in the receipt of this information. My privileges were violated, and no one can tell me this Premier does not have standards that will allow my privileges to be violated." If there was ever a clear invocation of privilege, it was that.

The Premier, the government leader of the day, brushed it all aside, because he said the harassment was not to be taken seriously. As no one was here to report it, he fled out of the chamber and was scrummed on other matters. The

reality is that there cannot be for this member, and for all of us who do the same kind of work she does, a more serious invasion, off the premises, of her privileges as a parliamentarian: the assertion by the police officer that you may be charged in the criminal courts if you have used information in a way that is prohibited.

Now the Minister of the Environment—

The Speaker: No. Would the member for St George-St David take his seat.

Interjections.

The Speaker: Order. Would the member please take his seat. The member for Halton Centre.

1410

Mrs Sullivan: I raised a question of privilege yesterday. I would like to raise that same question of privilege again. I believe, as I indicated yesterday, that my privileges were breached. In fact they were breached in an even greater way, not only for myself but for other people who are associated with me and my caucus, because not only was I involved in that interrogation but the then Leader of the Opposition, Mr Nixon, now agent general in London, was also interrogated, with the same information given to him, as were members of our staff on the Liberal side of the House. Mr Speaker, this is a clear breach not only of my privileges and Mr Nixon's privileges but of the privileges of every member of this House. I ask you to investigate this.

The Speaker: I would be most pleased to review both yesterday's Hansard and today's and report back to you as soon as possible.

Mr Conway: Could I make another point, Mr Speaker, on another ruling?

The Speaker: Is this on a different matter?

Mr Conway: It is on the ruling on language.

The Speaker: Yes.

Mr Conway: I listened very carefully to what you said you would not approve of in the future. I think you made some reference specifically to the nomenclature of Nazi Germany. I take it therefore that you would not approve of this kind of statement, "Colonel Drew is maintaining in Ontario at this very minute a secret political police, a paid government spy organization, a Gestapo to try to keep himself in power." Those were the words used by the very distinguished leader of the CCF in Ontario in 1945.

The Speaker: The member for Renfrew North will know that while there are many long days, I have not been hear since 1940. Statements by ministers.

Interjections.

The Speaker: It is time for oral questions.

Mr Bradley: On a point of order, Mr Speaker: I understood there was to be a statement from the Minister of Energy. Our members prepared for that. Is that not the case?

The Speaker: I called for statements by ministers. There was no response. The next order of business is oral questions. The member for York Centre.

Mr Sorbara: It seems that in the absence, day after day, of statements by ministers, the opposition is not making statements and the government is responding, and responding in a rather feeble way.

ORAL QUESTIONS

RETAIL STORE HOURS

Mr Sorbara: My question is to the beleaguered Solicitor General, who probably now deeply regrets his transfer from the quietude of the Ministry of Industry, Trade and Technology to the mess he has found in the Sunday shopping ministry.

If reports are correct, it appears the government is prepared to concede a small concession in the interminable Sunday shopping debate and allow storekeepers the unfettered discretion to stay open on the three Sundays in December if they wish. Although this is a reasonable amendment, it does not make a bad piece of legislation a good piece of legislation. It does not acknowledge that there are others who celebrate their high holidays at other times. It does not acknowledge that some people prefer to celebrate other events in the calendar year. Nevertheless, it is a very small concession.

I want to ask the Solicitor General two things. First, he prepared to announce now that he is going to proceed with that amendment? Second, how does he justify the notion that we should be able to shop on Sunday with that notion, the major theme in his bill, that in Ontario on Sunday no consumer ought to be able to shop unless he or she is shopping at some place that has been defined as a tourist facility? How does he justify that and what is he trying to get to in this bill?

Hon Mr Pilkey: Actually I am pleased the question came up today. I hope that member in particular and his colleagues in general will acknowledge this amendment which I propose to forward to the clerk of the standing committee on administration of justice with the appropriate notice to opposition members well in advance of the next meeting on clause-by-clause consideration of Bill 115.

I would also say that I and the government have been ready at that particular committee for some four weeks and on seven separate occasions have been denied proceeding. Finally my statement was made yesterday and the clause by clause has proceeded.

I encourage the member for York Centre to recall his own quotes and his own words of only a few weeks ago on how important it was for this bill to be dealt with immediately to bring surety to the marketplace, particularly in advance of Christmas. I say to the member, he now has that opportunity. Will he take it?

The second part of the question I believe was, how does this square with the intention to have a common pause day? It squares in this sense: Quite unlike the previous government, which left a situation where people could be open every Sunday, this will see a common pause day achieved for approximately 48 weeks, or 11 months out of 12, and worker protection for 12 months out of 12.

Mr Sorbara: Mr Speaker, I just want to tell you that every time the opposition forces the government to

reat on its positions, the province heaves a collective h of relief.

Hon Mr Wildman: So you are in favour of it?

Mr Sorbara: Yes, we are in favour. We are in favour a lot more.

I want to remind the Solicitor General, who suggests at somehow he has been ready for clause-by-clause consideration of this bill for some time, that it was his members who forced an indefinite postponement of this bill back on September 16 when we and the opposition members had set aside an entire week to consider it. The reason we have not proceeded with it is that the government was in a massive retreat, trying to revisit the question all over again, and was not prepared to bring its amendments until day when it finally decided to allow for a very small concession.

Mr Speaker, I just want to let you know that the Premier was quoted on the radio today suggesting that somehow this whole business is the fault of the opposition members. If we have to take credit for this small concession, we will take credit, but I ask the Solicitor General, will he dissociate himself from the comments of the Premier which suggest that our obligation to carefully analyse and scrutinize legislation ought to be characterized as stalling on a piece of legislation? Will the Solicitor General dissociate himself from what the Premier said this morning on the radio?

Hon Mr Pilkey: The simple answer is no, but before we engage in that kind of rhetoric let me simply say this: I invite both opposition benches to join with me to get this legislation passed and bring certainty to the marketplace, which has been desired by everyone on this particular issue. Let's get together. Let's do this together and let's deliver this bill to the benefit of the province.

Mr Sorbara: That is a different song than was being sung a month ago when the government whip on the committee forced closure and forced the bill out of committee.

The Solicitor General is suggesting to the members of this House that somehow it is all okay now, that we can proceed. He has not taken into consideration the fact that through a month and a half of public hearings, we heard over and over again that people want more freedom; that the bill treats unfairly large drugstores which are not going to be able to open and small music stores which for some reason are not going to be open; that the only stores that are going to be open are those that cater to a tourist clientele, and that he has brought forward amendments that allow a store that has permission to stay open to be hassled in front of the Ontario Municipal Board.

Now that the Solicitor General has begun to feel comfortable with making changes to a very bad piece of legislation, will he just carry on and solve the problem of the music stores and the large drugstores and simply give the people of the province the freedom they want to make their own decisions about what they do on Sunday, rather than having their Sunday dictated by what the Premier and the Solicitor General think they should do on Sunday? Will he bring forward some more amendments?

1420

Hon Mr Pilkey: The government has any number of amendments that show a willingness and a large degree of flexibility. This amendment simply adds to that list, although I must say at this juncture that I believe sufficient flexibility has now been achieved. As I said, I would invite members of both opposition benches to join with me in the achievement of a common pause day to the benefit of families, individuals and worker protection, and join with me in showing some certainty to the marketplace on this issue. I invite them both not to do other than join hands with the government and get this job done. I invite them not to be obstructionists, not to deny the retailers of this province and not to deny the families and workers who also seek this protection, and to do it now.

Mr Mancini: My question is to the Solicitor General. Today it appears the government is changing its principles on Sunday shopping one month at a time.

As the minister will know, the city of Windsor has one of the highest unemployment rates in all of Canada. Recognizing this, Windsor city council passed a municipal bylaw that would help local stores compete with stores in Detroit that are allowed to open on Sundays. This move by Windsor city council is an attempt to prevent further business erosion and loss of retail jobs. The NDP Sunday shopping legislation will strike down Windsor council's bylaw and retail stores in Windsor will not be able to compete. As a result, some Windsor retailers will close and many retail workers will lose their jobs.

Can the Solicitor General tell us why border cities like Windsor will not be able to allow shopkeepers to open on Sundays year-round if that is their wish?

Hon Mr Pilkey: The government does not believe Sunday shopping or the ability to open on Sunday is the answer and will stem cross-border shopping. Even in the months when Sunday shopping was allowed under the previous government's bill, that did not stop the growing—and I mean substantially growing—exodus of Ontarians who were proceeding to the United States to shop. I am sorry that the facts of the circumstance will not support the contention the member raises.

Mr Mancini: The minister has not been listening. It appears he cannot grasp the devastation of this recession, nor is he able to understand the competition retailers face in border cities. Economic indicators point to a dangerous second phase of this recession. Retail sales are down, housing sales are down, car sales are down and many Windsor retailers will be forced to close down, and we get no help from this government.

Some municipalities like Windsor have limited resources at their disposal to fight this deep recession. Windsor has used one of the few tools available to protect retail jobs. If the minister is unable or unwilling to help Windsor, then he should let Windsor help itself. Will the minister allow border communities like Windsor and Essex county to make their own judgements on how to protect retailers and retail jobs?

Hon Mr Pilkey: The government has assisted the city of Windsor. We will continue to assist the city of Windsor.

I specifically was joined by Mayor Millson, the mayor of Windsor, and a large number of other mayors of border communities just a few months ago. We came together—the federal government, the provincial government and the municipal governments to devise programs that would assist border communities in the difficulty of cross-border shopping. We did that in a very unanimous and together way; a very productive situation.

I simply would respond to the member that I do not believe, nor will the facts show, that opening on Sunday will stem the problem of cross-border shopping. Perhaps not from my perspective, but from his, he may take some solace in this amendment that is coming forward. At least in the most competitive period for retailers, he will have achieved benefit by way of this amendment.

Mr Brown: The Minister of Revenue has recognized the importance of the retail sector for economic development. As a result, she is proposing that retail establishments be allowed to open throughout the summer, as well as in the month of December. Belatedly this government seems to be acknowledging the importance of retail sales to economic development.

The minister will be aware that the Liberals have introduced an amendment that would allow municipalities to open on Sundays for economic development reasons, as well as tourism development reasons. This amendment is vital for border communities such as Sault Ste Marie, which are in the process, as all members know, of fighting for their economic lives.

If the minister is unwilling to scrap this legislation in its entirety, will he at least allow communities to develop and use economic development criteria as a reason for opening on Sundays?

Hon Mr Pilkey: I am not sure if I have comprehended the question exactly, except to say that I know the government has met specifically and deliberately with border communities for going on to a year and has also involved the federal government to enlist its support for measures that would assist border communities. There has been a meeting of all those agencies, I believe, within the last few months, with the mayors of those specific communities, and there have been provincial funds allocated for programs within those communities to help assist them in the difficulty of cross-border shopping. If recent media reports are accurate, there has in fact been some success in that there has been a cessation of the level of cross-border shopping that had been occurring previously.

Mr Carr: My question is to the Solicitor General as well. In answer to questions by the Liberal Party, I noticed he said: "Let's get together. Let's do it together. I invite the members opposite to join me, to join hands."

The Premier has said on many occasions that we should be constructive on this side of the House in helping. I have in front of me a very simple bill I have had drafted. If I could have a page, I will send it over to the minister. He talked about the time delay in going to the justice committee. This bill to allow stores to open for the Christmas period can be introduced this afternoon. Will he commit today to taking a look at this constructive piece of

legislation by the opposition and join hands with me embracing this legislation and having the stores open? Will the Solicitor General commit today to do that?

Hon Mr Pilkey: I have not had the benefit, except at this very moment, of receiving this suggestion, but let me respond in this way: We have a bill that is not about Sunday shopping; we have a bill that is about the protection of workers; we have a bill that is about the protection of a common pause day for families and individuals. At the same time it contains, with this new amendment, the flexibility for this government to entertain retailers at their most competitive season and members of the public who need some additional time at that particular time of year.

I simply say to the member, if that is what he was in favour of and he is in favour of this amendment, I invite him again to join with me on Monday in clause-by-clause. Let's get it through. I think we can do it in that one afternoon and we would deliver not only what this amendment calls for but all of the benefits of the bill to this House immediately.

1430

Mr Carr: The problem is that Bill 115 is complex and contentious. People on all sides of the issue say it is a bad piece of legislation. There is a tremendous amount of work to be done. We are going to, as the minister said, join together to try to make that piece of legislation better.

The minister has a simple bill. It is very short and it can be separate from Bill 115. It could be passed this afternoon. It would do everything that his amendment would do. Why does the minister not, as he has said before, look at this as constructive help from an opposition party, something that was said in the throne speech by the Premier, that the government will be looking to the opposition for something constructive. Here is something constructive; now is his chance to do it. Will he pass it this afternoon?

Hon Mr Pilkey: After brief reflection on the bill, the answer is no. It seeks to elongate the time frame of the flexibility that we have offered and backdate it to October 27 until the end of the year, and that is not what our amendment says.

I would rather indicate as well, to be quite direct about it, that the government does not have any interest in piecemealing this bill, which will see the passage of Bill 115 sent off into orbit for some undefined point of time in which we will never achieve it. I believe there will be many supporters of the third party who will in fact encourage them to support the amendment that we have introduced to the committee and the bill in its entirety. I would not want to deny the member the opportunity for that pressure.

Mr Carr: As members know, Thanksgiving to Christmas is the period when people start gearing up for Christmas. My children are now picking out their gifts. The mistletoe and the decorations are being put into the plazas and the shopping malls in anticipation of Christmas. If the minister has some problem with the date, we are willing to work together and we are willing to be flexible. If it cannot be done this afternoon, possibly he could change the date.

has a chance to look at it. There are a couple of other small changes, but it could be done as easily as tomorrow.

It is a very simple piece of legislation. Will the minister, as he said to us on this side not more than five minutes ago, join with us in passing this piece of legislation, allowing the stores to be open so that retailers who are reeling from this government's policies will have a chance during the Christmas period to survive at the one period when most of their sales come from? Will he commit to making whatever changes he feels are necessary over the next day so to get this piece of legislation through?

Hon Mr Pilkey: We have demonstrated by our agreement to such an amendment today to proceed and to get on with it. The members of the opposition now have two simple choices. They can either join with the government for the benefit of this legislation, families, individuals, retailers and others or, quite frankly, they can persist in their filibustering and gamesmanship—

Interjections.

The Speaker: Order.

Hon Mr Pilkey: —and they can well answer to all those Ontarians, individuals, families and businesses alike, why there is this quagmire of uncertainty in the province at this time.

TRANSPORTATION FOR THE DISABLED

Mrs Marland: My question is to the Minister of transportation. Today in Hamilton, there are about 9,000 disabled and elderly people who are literally left without any way of leaving their homes. An example of how many people and how many trips this involves is about 400,000 trips per year. These are given by DARTS, the Disabled and Aged Regional Transit System, and that system today has been hit by a strike. For the sake of these thousands of people, will the minister tell this House what action he is planning to help them?

Hon Mr Pouliot: The member opposite is totally correct in her information and certainly we are very concerned. We are talking about a service which is most important to the less fortunate, and if I could, with respect, remind all of us that we are on one waiting list or another, so it escapes no one.

Arrangements have been made for the disabled. They have been made through the hospitals, they have been made through the taxi companies. We do believe it is a dilemma, it is an impasse, but the collective bargaining process must be given a reasonable chance to win.

This is the second day of a legal work stoppage in Hamilton. The responsibility is with the municipality of Hamilton, the regional body of Hamilton-Wentworth, and the employees that are united through the collective bargaining process and represented by their bargaining agents.

We are monitoring the situation. We are doing the best we can to find alternatives, and hopefully collective bargaining will be given a chance to win and the subject matter will be addressed in a relatively short few days.

Mrs Marland: I know this particular minister is particularly eloquent, but I wish he would be less patronizing to these people.

Susan Hudson is a DARTS user and she has told the Hamilton Spectator that with this strike she has no way of getting to her job at Amity Goodwill Industries. Hers is just one of thousands of desperate stories written by the strike.

I understand this government's hesitation to offend organized labour, but we are talking about people who cannot get to their doctors, to their workplaces, to their schools, or shopping for food. This minister thinks that he has made accommodation for wheelchairs and taxis. I will tell him now that there are only two taxis in Hamilton that can take wheelchairs, so I do not know where he is getting his information.

What is it that the minister plans to do to offer to help these people? Should this service not be declared an essential service? What is it that he has against the disabled so he will not take a position right away today to help these people?

Hon Mr Pouliot: I certainly have no intention and I hope my tone did not convey any sense of being patronizing, but I must say I do not deserve these comments. This is unwarranted. Let us stick with the issue. The question perhaps would have been best directed to the ministry responsible.

If the member refers to an essential service, that is filled with validity indeed. I am the minister responsible for transportation. In my jurisdictional capacity, my mandate says, yes, people who have to attend a hospital will be accommodated, people who have to attend a clinic will be accommodated. Unfortunately, in terms of recreation, in terms of social visitation, people will not be able to do these because the situation called for a legal work stoppage. This is the situation. We are in the second day.

Let us stick with the issue collectively, as opposed to trying to embarrass, with the highest of respect. Those are the people who are being afflicted. We are doing all we can and we do recognize the value of this most important service.

Mrs Marland: Let us stick to the issue, I agree. Let us stick to this issue, and the issue is disabled people who cannot get to work, who cannot shop for food and their own supplies.

This same organization was on strike in 1989, and at the same time in 1988, Wheel-Trans was on strike in Toronto. On both those occasions I suggested to the government of the day that this service should be declared an essential service.

I simply say to this minister that I am not talking about recreation and socialization. There was no reference to that in my first question to him, and I do not appreciate his suggesting that is what the disabled community of Hamilton-Wentworth are concerned about. They are concerned about survival in their work. If they do not get to work, they do not get paid.

The Speaker: And your question.

Mrs Marland: During the recent Toronto transit strike this government refused to introduce legislation that would have declared the TTC an essential service. As a result, this city was thrown into chaos for eight days. How long is this government prepared to lock the disabled

people in Hamilton in their homes in order to keep its NDP union friends happy?

Hon Mr Pouliot: We have nothing but friends on this side of the House, but in a democracy there is nothing stopping us from appreciating some friendships more than others.

The workers involved in the work dispute, 33 full-time employees—let's set the record straight; many of them are disabled—have been without a contract since July 31, 1991. They are not asking for more money. The issue here is job guarantees. It is the second day of a legal work stoppage. We are doing all we can to make sure that emergency services are being provided by professional people. We are also at the same time encouraging both parties to reach a settlement as soon as possible.

1440

INVESTIGATION INTO RELEASE OF DOCUMENTS

Mr Bradley: If I could get his attention, I have a question for the Solicitor General. Yesterday the Premier attempted to distance himself from the OPP investigation of members of the opposition. The Solicitor General is responsible for police forces in this province, including the OPP. I ask him now to tell the House that which the Premier would not reveal to members of this House yesterday: Who ordered the OPP to investigate and interrogate members of the official opposition, staff of the Ontario Liberal caucus, the former Leader of the Opposition, Robert Nixon, and a Toronto Star columnist on documents which were leaked from the government to those of us in opposition and those who serve the public interest?

Hon Mr Pilkey: In the sense that the question was characterized, I believe the appropriate answer would be no one.

Interjections.

The Speaker: Order. Has the Solicitor General completed his response?

Hon Mr Pilkey: Yes, Mr Speaker.

Mr Bradley: That is an incredible answer from the Solicitor General of Ontario, who is obviously playing games with members of this House by evading the question in that way.

I think members of the opposition and independent observers of this issue would come to the conclusion that someone in the government of Ontario has ordered the provincial police to investigate the opposition and others who have received these leaked documents. I ask the Solicitor General now, what is he prepared to do to end this intimidation and harassment of members of the opposition and their staff who receive leaked information from his government, information of interest to the public we serve and information that is essential to carrying out our role and responsibility as members of the opposition in a democratic society?

Hon Mr Pilkey: I am quite willing to respond to the questions of any members of the House. My response was not meant to be one of avoiding it, but the question was asked in a way, I think, that was out of context and not valid.

Perhaps I could answer it in this way: If there is an allegation to the OPP that a crime has been committed, it is under an obligation to investigate that circumstance. It is my understanding that the Deputy Treasurer alleged that a criminal breach of trust had occurred, and the OPP quite naturally then proceeded to investigate the matter. I am not aware that anyone in the government directed operationally how the OPP would conduct its investigation.

Mr Runciman: I have a question on the same subject and respectfully suggest—I may have to withdraw this—that the Solicitor General may inadvertently be misleading the House in the response he just made. I will give him the benefit of the doubt. I will withdraw that, Mr Speaker, because you are going to compel me to and that is the only reason.

I spoke earlier today to an inspector in the anti-racket squad of the OPP with respect to this matter, and he indicated quite clearly to me that there was considerable internal debate within the anti-racket squad based on the government request. I think it is clear in the Hansard of October 16 that the Treasurer responded, "We have asked them to examine the process." That is the Treasurer's response to a question posed to him, I guess in follow-up to what the Solicitor General said, "Where there is a crime committed or the suspicion of a crime committed, the OPP goes in." We have the Treasurer saying, "We asked them to examine the process." There seems to be a very clear conflict here, and I ask the top law enforcement officer in the province why he endorsed such an investigation.

Mr Scott: It's a big laugh.

The Speaker: Order.

Hon Mr Pilkey: No, it certainly is not a big laugh at all. I can only answer as honestly and openly as I can. To the best of my knowledge, there was a breach. The OPP was asked to investigate it. They have done so.

Mr Scott: Larry, Curly and Moe. You people are on the edge of a very nervous moment. Think about it.

Interjections.

The Speaker: Order. We have waited long enough. We are all ready to go.

Hon Mr Pilkey: The member opposite says we are on the edge of some kind of problem or difficulty. I do not exhibit any nervousness because quite frankly there is nothing for the government to be nervous about. The OPP has an obligation to investigate when it is requested to do so. This is the basis of an ongoing investigation. I certainly have not directed them in any way as to whom or where they should investigate. That is an operational matter under their purview, not mine. While the matter is under investigation, I do not really think it would be appropriate for me to comment.

Mr Scott: Who started the investigation?

The Speaker: The member for St George-St David, come to order.

Hon Mr Pilkey: I can honestly tell the member I do not have that information in any event.

Mr Runciman: I think this response and the previous response can be categorized as rather frightening. I think

the minister is being completely honest and apparently he does not know what happened in this instance. We are talking about the OPP going beyond its mandate. He clearly spelled it out here: "crime or suspicion of crime." The previous day we had the Treasurer saying, "We want to have the process reviewed." There was considerable debate within the OPP. They looked at the situation in Ottawa with respect to budget leaks and the political fallout with respect to that whole matter falling upon the RCMP. There is very grave concern.

I asked the Solicitor General today why he endorsed this since it clearly goes beyond the mandate of the OPP anti-racket squad, and he does not have any answer. Apparently he does not know how it proceeded. I ask the minister whether he would be prepared today to endorse an investigation by a standing committee of this House. I think it is important enough to be carried out.

50

Hon Mr Pilkey: The Ontario Provincial Police does not seek my endorsement of investigations it does. Investigations are conducted upon request when a criminal breach of trust is alleged. All regular investigative precautions are adhered to during these investigations, and any investigations entered into by the OPP are done by it in an operational mode. No names and no comments are issued while the matter is under investigation.

Interjections.

The Speaker: Would the minister take his seat, please. I am finding it quite difficult to hear the response. We will wait until the member for St George-St David has come to order.

Mr Scott: Wait till the Premier comes. They won't let me in.

The Speaker: I am asking the member for St George-St David to come to order, please.

Mr Scott: Forgive me, Mr Speaker.

The Speaker: Will the minister conclude his response. New question, the member for London South.

MIDWIFERY

Mr Winner: My question is addressed to the Minister of Health. On October 15 the minister announced that Ontario would be the first province to introduce a bachelor's degree in midwifery. I understand the first classes in the three-year program are slated to begin in 1993 after a curriculum is developed with the help of doctors, nurses and midwives. This program will serve to meet the demand for qualified midwives in Ontario once Bill 56 is passed to regulate midwifery and to set up a self-governing college.

Will the establishment of a regulated profession mean that traditional native midwives will have to adhere to the standards and rules set by the college of midwives in order to revitalize traditional midwifery practices?

Hon Ms Lankin: The question the member raises is of concern as well to the standing committee that is currently going through clause-by-clause analysis of this legislation. During this summer the ministry met with a group

of aboriginal representatives to consult on this very issue and we have taken a look at their concerns that the legislation could somehow inhibit the practice of traditional midwifery.

The regulation of midwifery is also related to the education program the member speaks of. We funded the aboriginal groups to do some further consultation on this and they have given us their responses. I am meeting with them next week to discuss some of the concerns they have and hope to report that back to the legislative committee before the end of clause-by-clause. It would be our intent that the legislation and the education program be respectful of the practice of traditional midwifery.

Mr Winner: For those aboriginal people who choose the proposed education route, will the educational program be accessible to aboriginal people, and will it incorporate traditional practices of prenatal, childbirth and post-natal family care in its curriculum?

Hon Ms Lankin: The responsibility for the actual education programs will come under the purview of my colleague the Minister of Colleges and Universities, but we have had discussions about this.

The curriculum committee of the interim regulatory council on midwifery has met with representatives of the native communities, and one of the things we are trying to do, as the minister has gone out for tender for the establishment of a four-year degree program in a university, is to ensure that the program has some flexibility around long-distance learning around various clinical sites so that we have as much flexibility and access as possible.

I also think the issue of incorporation of some of the traditional practices of our aboriginal people in the education program is something that should be looked at, and we will take that under advisement with the people who will be doing the curriculum development.

INVESTIGATION INTO RELEASE OF DOCUMENTS

Mr Bradley: I have a question for the Solicitor General, once again, on the subject of intimidation of members of the opposition who have received leaked documents from the government. I see he has had some advice and counsel from the government House leader and from other members who perhaps are informing him on a better way of answering the question.

When I asked the minister who had ordered the investigation of members of the opposition and others who have received leaked documents that it is in the public interest to have exposed for the people of Ontario, he decided he would interpret that question in such a way as to say no one. Then, in answer to the member for Leeds-Grenville, the minister seemed to indicate someone requested that there be an investigation. When the Solicitor General or someone in the government requests, that is an order in terms of dealing with the police in Ontario.

I ask the member again: Who in the government requested, as he would say—ordered, as I would interpret it—an investigation of members of the opposition, including the Leader of the Opposition, present day; the Leader of the Opposition who is now in Britain; the member for Halton Centre; members of the Liberal

staff, and the Toronto Star reporter, John Power? Who ordered those investigations or, as he says, who requested those investigations?

Hon Mr Pilkey: I am trying to respond very openly to this issue, but I think these questions are being framed in a way to elicit something other than that. Let me explain that. Initially the member asked me who initiated or requested an investigation. He started to name members of Parliament and other people and I answered him, nobody, and I am answering him again, nobody. The issue is that a government document was stolen and that the OPP was asked to investigate.

Interjections.

The Speaker: Order. Would the minister take his seat.

Mrs Sullivan: On a point of order, Mr Speaker—

The Speaker: No. Just a moment. Would the member take her seat, please. When order has been restored I will entertain any alleged points of order. It is very difficult to hear a response when the volume is turned up so high. Perhaps folks would just calm down a little bit and allow the Speaker to hear whatever responses are being presented.

Has the Solicitor General concluded his remarks?

Hon Mr Pilkey: Only to conclude in this way to the response I had given earlier, that the OPP will decide whom to interview, not the cabinet minister, and that is the plain truth of the matter.

Mr Bradley: I am looking at a column from a Toronto Star writer, Mr Power, who said about the Ministry of Natural Resources:

"After asking questions about Queen's Park and getting evasive answers or no comment, this writer was contacted by a senior ministry official and asked to spill the beans on the informant. Next came a call from a member of the OPP anti-racket squad with the same demands. He stated the police had been called by the ministry to look for the leak within the ministry."

We have a leak in the Ministry of Natural Resources and somebody asking somebody to start an investigation, we have one in Treasury and we have one in Environment. We have three different ministries. I have a very simply question for the Solicitor General. Who in each of these cases authorized an investigation? Who initiated an investigation? Who requested an investigation of members of the opposition, of members of the Liberal staff and of a reporter for the Toronto Star?

1500

Hon Mr Pilkey: Just on a point of privilege, first of all: Apparently in my earlier comments I used the term "stolen," which may or may not have been appropriate. I am advised a more appropriate word would have been "leaked," so I make that clarification.

I repeat now—I have repeated it three times and I guess I can repeat it 33 times—I am not aware of anybody who authorized the investigation of any opposition member.

Mr Runciman: Following up on the Solicitor General's initial response to my question, when I suggested he was misleading the House, which I apologized for—

Hon Ms Gigantes: On a point of order, Mr Speaker—
Interjections.

The Speaker: I ask the members of the House to come to order. Every member of this House has the right to rise in his or her place to raise a point of order with the Speaker, and the Speaker shall hear that point of order.

Hon Ms Gigantes: Mr Speaker, this is the second time this afternoon the member for Leeds-Grenville has used a term which he knows to be unparliamentary and has done it in a way which is thumbing his nose at your authority to keep order in this House and at the rules of this House. I suggest you warn him that he shall not be allowed to do it again.

The Speaker: I listened very closely to the member for Leeds-Grenville. The member in fact withdrew the comment he had uttered earlier, which indeed was unparliamentary. I imagine that all members are quite aware of the fact that they should not be accusing others of misleading the House.

Mr Runciman: My concern, and the reason I raised the comment that offends the member, was the fact that the minister stood in his place and indicated, or at least implied, that this investigation could well have been initiated by the OPP. I spoke to members of the anti-rackets squad who clearly indicated an internal debate based on a political request. With the comments made by the Treasurer earlier, there is a very significant contradiction here. The Solicitor General stood in this House today and implied, if not stated clearly—we will have to check Hansard—that this investigation could have been initiated by the OPP. That kind of comment comes from the top law enforcement officer in the province, and I would like him, right now, to explain those remarks.

Hon Mr Pilkey: I believe those were not the remarks I made, and I believe Hansard will so show.

Mr Runciman: To follow up on my original question, which the minister continues to evade, I have to give him the benefit of the doubt that he simply does not know what is going on with respect to this matter.

We asked him how this matter was endorsed, when it clearly goes beyond the mandate of the OPP anti-rackets squad, which he himself spelled out in response to the member for St Catharines: There has to be the possibility of a crime or a suspicion of crime. In this case we have the Treasurer, the minister's colleague in cabinet, saying they simply wanted to look at the process. That is a very clear contradiction. Will the minister get up and explain that to the House today?

Hon Mr Pilkey: I cannot explain what the Treasurer advised the member. I can only advise the member that if the OPP is requested to undertake an investigation of a leak, it will undertake to do so and it alone will determine whom it questions in that investigation.

PLANNING APPROVAL

Mr Johnson: My question is for the Minister of Municipal Affairs. Two years ago Geertsma Construction built a 12-unit condominium in a site-plan-controlled area in the township of Thurlow. In 1990 the township of Thurlow

supported this construction company's application for an exemption from the Planning Act because the municipal law already sets the ground rules for construction of this project.

Geertsma has been led to believe that all relevant documents have been filed for the ministry to approve this project. To date, they have not received approval. This poses a problem because the condominium cannot be registered without approval. Therefore, although the purchasers of the units can occupy their units in the building, they cannot take formal possession.

I understand that this process is required under the Condominium Act. However, this means owners are paying rent and not their mortgages, so in effect they are losing potential equity. To date, the condominium is still without approval, and there has not been any new information from the plans administration branch. Why has Geertsma Construction had to wait a year in what was believed to be a simple matter of administration?

Hon Mr Cooke: I have spoken to ministry officials about this application and I have been advised that the final plans for the condominium have been returned to the applicant's Ontario land surveyor for some corrections of technical errors. As soon as we have had the plan returned to the ministry and it has been reviewed, we will approve the application and the exemption.

In terms of the time it takes to get through the planning process in Ontario, I share some of the concerns of the member. That is why the Ministry of Municipal Affairs is looking right now at what changes can be made in the approvals process within our government, within our own ministry and with other ministries in the short term. That is also why we have set up the planning inquiry led by John Sewell to look at the planning process in this province, so we can make it more efficient while at the same time providing good planning that respects the environment and the needs of our community.

INVESTIGATION INTO RELEASE OF DOCUMENTS

Mr Bradley: I have a question for the Solicitor General. In his answers this afternoon, evasive as I interpret them to be, the Solicitor General has nevertheless indicated that the OPP was requested to initiate an investigation; it did not initiate it on its own volition.

What I want to know from the member is, who alerted the OPP to this leak and who suggested to the OPP that there should be an investigation of the leak of this government document—of any of these government documents but particularly the government documents related to those leaked to the opposition? Was it a minister? Was it a deputy minister? Was it someone on the staff of a ministry? Was it someone from the office of the Premier? Who put forward the request to the OPP to initiate an investigation?

Hon Mr Pilkey: I think that is a more valid question. We finally have it straight on now, and it does not allege someone directing investigations against members of this House. I think they finally have it straight.

As I indicated in my remarks earlier, the Ontario Provincial Police do not come to me every time they start an investigation.

Interjections.

The Speaker: Order.

Hon Mr Pilkey: If I might be permitted, Mr Speaker, as I indicated, the Ontario Provincial Police does not come to me, as minister, to tell me every time it launches an investigation. If they did, I would be very busy indeed.

From the debate I heard in the House—I believe it started last week—it was my belief that there was a response from the front benches that in terms of the Treasury leak it was a request from the Deputy Treasurer. That was my impression, what I thought I heard or understood over the din of this House last week.

I will attempt to confirm for the member that this was the information given by the Treasurer to the House and clarify that for him. That is a straightforward answer to the question.

Mrs Sullivan: My question is a supplementary, once again to the Solicitor General. Members may recall that the document we are discussing, about which an interrogation of myself and others occurred, was brought to this House.

I can assure members that the OPP does not sit in anxiety watching the proceedings of the Legislature on television so it can instigate an investigation from those circumstances. I am asking the minister: In the instance in which I brought material which came into my hands directly to the floor of this Legislature, who instigated, who ordered, who requested that the OPP investigate my holding of that document?

Hon Mr Pilkey: Given that we have several varied circumstances, all around a similar circumstance—as I indicated before, I am not aware of all the investigations the OPP commences—I would be very pleased to seek the answer the member requests and to provide that to her just as soon as possible.

1510

OATH OF ALLEGIANCE

Mr J. Wilson: I too have a simple question for the Solicitor General. This province and indeed this country are founded on our traditions as a constitutional monarchy and, as such, many members of this assembly will be meeting with two members of the royal family tomorrow as they visit our province.

In honour of the royal visit to Ontario, would the Solicitor General undertake a gesture of goodwill and immediately restore the reference to Her Majesty the Queen in the oath taken by Ontario's police officers?

Hon Mr Pilkey: I would undertake to review that with the police services boards of Ontario, the Ontario Association of Chiefs of Police and the Police Association of Ontario, all of which joined the government in the consideration of the review of the Police Act that came to that determination, but I do not believe I could do that before the royal visit later today.

Mr J. Wilson: The week after they agreed with the government, they passed a resolution disagreeing with the government's decision when they finally had an opportunity to consult with their membership.

On April 17, as a member of Her Majesty's loyal opposition, I raised this issue as a point of parliamentary privilege in this House. I have continued to press this government to restore this unifying symbol of our heritage because I feel so strongly about our ties to the monarchy.

I am very proud to have the royal family visiting our province. I ask the Solicitor General again: Will he demonstrate his pride as a Canadian? Will he demonstrate his commitment to the royal family and to our royal traditions? Will he allow the men and women of Ontario police forces to swear allegiance to Her Majesty the Queen, the Queen of Canada?

Hon Mr Pilkey: The Ontario government is just thrilled to have the royal couple here in Ontario and in the communities, many of them smaller communities, throughout our province. I believe the people of Ontario will be absolutely captivated by this royal couple, as people all around the world have been.

My only regret as Solicitor General is that I will not be involved in the ceremony with respect to that visit. Notwithstanding that, I want to tell members that I have the greatest respect for the royalty and for the couple, and I know the Premier, who is going to be with them for most of the trip, will represent us perhaps better than anyone else in this province could.

[Applause]

The Speaker: Does the member for St George-St David have a point of order?

Mr Scott: I have a question. I have been waiting here while the applause has been going on. The applause cannot be used to run out the clock. Everybody knows that. I understand the government does not want us to have another question, but it cannot run out the clock by applause to prevent an important question being asked. I ask for a ruling on that.

The Speaker: In fact, the member will recall that the time had expired on the clock prior to there being any applause. I am sure the member for Scarborough East, who was waiting patiently to ask his question, appreciates your kind gesture on his behalf.

DECORUM IN CHAMBER

Mr Mills: On a point of order, Mr Speaker: All through this afternoon the member for Etobicoke West has displayed a sign, "Call the police." I do not think that is parliamentary in this chamber. I do not think one is allowed to hold that up in here. I think this is disgraceful.

Mr Scott: On a point of order, Mr Speaker: If your rights as a parliamentarian were being abused, wouldn't you call the police?

Interjections.

The Speaker: Order. I ask members of the House to come to order, please.

To the member for Durham East, the question about signs in the chamber has been raised on occasion both during this Parliament and previous parliaments. There is no standing order with respect to signs in the chamber. Speakers, both this current Speaker and past speakers, have discouraged the use of signs in the

chamber. Notwithstanding that discouragement, from time to time signs do magically appear.

If a rule change is sought, the members will have to approach the standing committee on the Legislative Assembly with their request to have something put into the standing orders, but without anything specifically in the standing orders, it makes it very awkward for the Speaker to make such a ruling as you have just requested.

Hon Ms Gigantes: On the same point, Mr Speaker: I understand what you are saying about the question of displaying signs. Over the last five years, during most of which I was not here, there has been a tradition developed where signs were permitted. However, I would like to draw to your attention that the standing orders do talk about a demonstration that threatens to disturb the order of the House. I suggest to you that we are nearing the point of that kind of situation with a member who will hold a fluorescent sign any time he feels like doing so. It is most disturbing to the affairs of the House and I suggest you take that under advisement.

Mr Conway: I can scarcely believe my ears in this connection. I happen to agree, quite frankly, with the member for Durham East on the subject of signage. I think the tradition of paraphernalia into which we have fallen here in the last few years is quite unbecoming. I have said that before and I would support any move to clean it up.

However, I have to say to my dear friend the member for Ottawa Centre that no group of individuals in the history of the Ontario Legislature has been more flagrantly in violation of that dictum than the NDP. I do not know who it was, but just the other day I saw someone over there holding up a sign with something on it.

I remember among the several cases a famous night or series of nights in this assembly 18 or 24 months ago, when the very colourful member for Welland-Thorold stood in his place up in that corner, near to where the member for Kenora is now situate, and advertised phone numbers and a variety of other things with signs.

I just want to say that I cannot believe my ears when I now hear the government House leader and the Minister of Housing, to name but two, inviting honourable members of the Liberal and Conservative parties to a parliamentary decorum that they systematically ignored and refused to submit to over many years, in my experience.

The Speaker: I have already made a ruling on this alleged point of order. If there is something new to be added, okay. Otherwise, I am not entertaining further discussion.

1520

Mrs Caplan: To the point of order, Mr Speaker: I want to point out to you, because I know this is something that concerns you, that the point just spoken to by the member for Renfrew North is a real concern to my constituents in the riding of Oriole. Just these last few months I have had several constituents mention to me the concern they have about decorum in this House.

We have discussed the fact that over quite a period of time it was the practice of the new government to behave in a way that is less than what would be expected in this

use. They told me they were very concerned. They used the word "hypocrisy." They felt the government was behaving in a very hypocritical way, and today's display I now will only increase the cynicism. I would ask the Speaker in his ruling to consider how cynical it is making constituents to hear—

The Speaker: Would the member for Oriole take her seat, please.

Hon Ms Lankin: On the same point of order, Mr Speaker: In terms of trying to add something new to the debate, I would say that there are a lot of people who have been taken who have very long institutional histories in this province and institutional memories that give light to past procedure, past practices and past behaviours, all of which, as a new member to this House, I listen to and I think are something the voters of this province would like to see changed. As a new member elected to this House, I would like to be part of making a new decorum and I invite all members to look at it in that respect and not with respect to institutional history that has existed.

The Speaker: To the member for Etobicoke West, is there something new?

Mr Stockwell: It is new and improved. On a point of privilege, Mr Speaker: May I suggest in my defence I am not—

Interjections.

The Speaker: Order.

Mr Stockwell: I cannot believe that the two members opposite show such grave concerns about holding up a sign, yet have no concerns about sending the police into opposition party offices. It seems to me a very large contradiction. Rather than worrying about signs, maybe the members should worry about where the police are going, what they are investigating and who is introducing this—

The Speaker: Would the member for Etobicoke West please take his seat. To the member for Ottawa Centre who raised the point originally with me, and to the member for Jeffrey M. Brown North who I know has always respected the dignity of the chamber, this Speaker, like past speakers, discourages the use of signage within this chamber, but the standing orders do not give the Speaker the ability to make a ruling on a sign such as we saw this afternoon. Members may wish to take this matter to the standing committee on the Legislative Assembly for further discussion.

MOTIONS

COMMITTEE SITTINGS

Mr Cooké moved that the standing committee on resources development shall meet to consider Bill 118, An Act to amend the Power Corporation Act, during the winter adjournment in accordance with the schedule of meeting dates to be agreed to by the three party whips and to be tabled with the Clerk of the assembly at a later date as follows: one week to receive public submissions at meetings in Toronto, two weeks to receive public submissions at meetings outside of Toronto and one week for clause-by-clause consideration of the bill.

All proposed amendments shall be filed with the clerk of the committee prior to the last day on which the committee is authorized to consider the bill clause by clause. At 4 pm on the last day on which the committee is authorized to consider the bill clause by clause, those amendments which have not yet been moved shall be deemed to have been moved and the Chair of the committee shall interrupt the proceedings and shall without further amendment or debate put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. Any divisions required shall be deferred until all remaining questions have been put, the members called in once and all deferred divisions taken in succession.

The committee shall report the bill to the House on the first day of the spring meeting period. In the event that the committee fails to report the said bill on the date provided, the bill shall be deemed to be reported to and received by the House.

The Speaker: Is it the pleasure of the House that the motion carry?

Mr Conway: Is that a motion that can be spoken to?

The Speaker: Yes, it is indeed.

Mr Conway: I would just say a few words. There has been, as members will know, a great deal of interest in this House and an even greater degree of interest outside this House in the government's Ontario Hydro policy. Bill 118, which was brought to our attention by the member for Peterborough, the former Minister of Energy, was, I believe, introduced back on June 5, 1991. It has been, as I say, the subject of an intense debate in some quarters here. I must say at the outset that I appreciate the agreement that has been worked out among the House leaders to have this bill go forward to hearings outside of the legislative sitting period this fall.

It was quite surprising to me that there was some thought—quite an active thought, apparently—that this bill, very significant and highly controversial, would be dealt with in the fall sitting of this Legislature. The expectation was, in some quarters, that it would be passed into law by Christmas 1991.

I am pleased we have an agreement that will take this bill into the hinterland during the winter. I know my constituents are going to be very keen to have an opportunity to speak to the standing committee on resources development. I have to believe that there are a lot of other people in northern and southwestern Ontario, among other parts of the province, where that interest is going to be similarly high.

I do not remember, although I could stand corrected, too many, if any, references quite like the one we have just had. It is quite clear why we have this motion. The government, at the direction of the chairman of Ontario Hydro, wants this bill as quickly as it can get this bill.

One of the things about Bill 118 that I really find fascinating is the marvellous retroactivity that is built into those sections of the bill that deal with the empowerment of Marc Eliesen. I have said before that I find it deeply offensive that not just one but two ministers of Energy, on behalf of this government, were sent into this Legislature to present facts in support of this bill and the policy that

underlies it which were manifestly inaccurate. I do not hold either the member for Peterborough or the member for Kitchener accountable for that. Quite frankly, I absolve them of responsibility because I know who the architect of that disinformation was.

The member for St Catharines-Brock nods her head negatively. That is her right. But I just want to say that I know the chairman of Ontario Hydro wants this bill. He wants it yesterday because this is the bill that empowers him in a way that I think is not in the public interest. I repeat that I have no difficulty whatsoever with this government choosing Marc Eliesen to be the chairman of Ontario Hydro. I think that is a perfectly understandable and appropriate thing for the Bob Rae government to do. That is not my quarrel with either this bill or with Mr Eliesen, because I believe that he does have a certain talent that will serve him and the government in some respects rather well.

1530

I repeat that what I have seen in Bill 118, and particularly the unfortunate circumstance in which two ministers of Energy have been put to defend something that was simply not true, to see the retreat that the member for Kitchener had to offer by way of a curtailment of the directive power, just invites me and my colleagues, not just on this side but private members on the other side, to look very carefully at this bill and the policy that informs it.

I am delighted, I say again, that we are going to have an opportunity over several weeks in the winter break to look at the bill clause by clause and, more important, to hear from farmers and others in the community about how they feel the government is proceeding with Hydro and energy policy.

I just want to say again that I observe the language of the motion, and the very careful language, as being in a real sense a time allocation motion with respect to the clause-by-clause. The government has that right. I myself have invoked it on one or two occasions.

But I want to say, as I look forward to joining this committee for its travels around the province, as I look forward to having Mr Eliesen before the committee, that Mr Eliesen came to the appointments review committee in, I think it was, May. He denied, for example, ever asking anyone on the board of Ontario Hydro to be appointed chief executive officer. We have, I might add, a letter signed by a number of very distinguished citizens who serve on that board, which letter states that he said so to them.

So we have a very difficult situation, with the current chairman denying he ever asked anyone at the board to be appointed by it as the chief executive officer—he denied it flatly—and now there is a letter in the public record which states quite clearly that there were members of the board who heard him ask for that very thing. I am looking forward to having Mr Eliesen and some of those people come to the committee to find out who is telling the truth.

We have had a debate in this House around what kind of employment contract Mr Eliesen has arranged with the government or the board. I have got to tell members that the answers provided to me to this date are wholly unsatisfactory.

I repeat that I have no difficulty with Mr Eliesen being the chairman. I think it is not a surprising thing that he should be appointed chairman. But I do have a problem with his being appointed chairman and chief executive officer, particularly under the circumstances of his appointment.

There has been a lot of debate in this assembly about conflict of interest. I think what we have seen with the writing of Bill 118, and I have said it before and I will repeat it now, is that one person wrote that bill and that person was the then Deputy Minister of Energy, the now chairman and chief executive officer of Ontario Hydro. In my years in this assembly, I have never seen a situation which I considered to be more classically a complete and total conflict of interest than Bill 118 when it relates to Mr Eliesen.

We have had some debates around here, and I was not here the day that the member for Sudbury East and the member for Scarborough West were grilled about whether or not they were in breach of conflict rules, but there has not been a word to date about Mr Eliesen's conflict in the writing of that bill and being therefore, as a result of its passage, the single most noteworthy beneficiary of its enactment. I am certainly looking forward in the course of these hearings to have a discussion about that as well.

We have had some discussions in this House around the employment contract and we have not had very satisfactory answers, to my way of thinking. There is absolutely no question in my mind that the government has the right to determine its own Hydro policy. I have said that before and I believe it. I may not agree with it. Chances are that in some respects I am not going to agree with it, but I respect them for their decision to move forward in a way to put their stamp on Ontario Hydro.

What I will not accept, however, is to be told on the one hand that a hallmark of that policy is going to be accountability and openness and to be told day after day after painful day that: "I, Mr Premier, leader of the executive council, never discussed the terms and conditions of Mr Eliesen's employment. I don't know whether he's going to be paid \$400,000. I don't know whether those press reports that he's going to get a 75% pension entitlement after six years"—which would be an entitlement of hundreds of thousands of dollars a year for the rest of his life—"are accurate. I don't know whether it's true that the Hydro board has already put tens of thousands of dollars into Mr Eliesen's pension."

There are many issues about which this Legislature should be seized in so far as Bill 118 is concerned, and I want to say I look forward to these hearings and I want to serve notice now that I, speaking only as the member for North Renfrew, will participate in those hearings, I look forward to an active discussion around the committee stage and I want there to be no confusion some months hence that when that bill is reported back for the committee of the whole stage and third reading, I will expect those of us who have had an opportunity to monitor and to pursue this most central of government policies will certainly want to take some time to talk about what we heard in the committee, what people have told us about the

hydro policy of this government and its impact on real people in the community.

I can only say that I wanted to take some time this afternoon to put myself on record as to what we are dealing with here as Bill 118 proceeds on its way through the committee stage and later to committee of the whole and third reading.

Motion agreed to.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mr Runciman from the standing committee on government agencies presented the committee's 16th report.

The Speaker: Pursuant to standing order 104(g)11, the report is deemed to be adopted by the House.

INTRODUCTION OF BILLS

RETAIL BUSINESS HOLIDAYS AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT LA LOI SUR LES JOURS FÉRIÉS DANS LE COMMERCE DE DÉTAIL

Mr Carr moved first reading of Bill 142, An Act to amend the Retail Business Holidays Act, 1991.

M. Carr propose la première lecture du projet de loi 142, Loi modifiant la Loi sur les jours fériés dans le commerce de détail.

Motion agreed to.

La motion est adoptée.

Mr Carr: This is the bill that was talked about in question period. The bill would permit retail business establishments to be open on Sunday from October 27, 1991, until the end of the year. This is at the request of the Solicitor General, who asked that we join hands with some constructive bills, so that is what this bill will be doing.

540

ORDERS OF THE DAY

TOBACCO TAX AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT LA LOI DE LA TAXE SUR LE TABAC

Resuming the adjourned debate on the motion for second reading of Bill 84, An Act to amend the Tobacco Tax Act.

Suite du débat ajourné sur la motion visant la deuxième lecture du projet de loi 84, Loi portant modification de la Loi de la taxe sur le tabac.

Mr Bradley: I enjoyed the opportunity yesterday to indicate why I was opposed to this particular bill. I was afraid at some of the uses this money might be put to, and today I am even more fearful, after the question period, that the funds that would be derived from the tobacco tax would in fact be used by the government to fund investigations of members of the opposition. That is always a concern we are going to have, that when the government derives some funds, when the government does some taxation in this province, it can be used for various purposes.

We look at a tobacco tax and its total impact on the economy. I think a number of the members who have discussed this particular bill have talked about the fact that it is very difficult to oppose a tax of this in normal times because it is considered to be a product which is detrimental to the health of people, and certainly anybody who views the evidence that has been put forward by members of the medical profession over the years would agree that tobacco has certainly not been beneficial to the health of those people, so normally one would say it is a reasonable tax. In fact, some governments might choose to even withdraw that particular product or others to tax it out of existence. That is one particular way of dealing with it in terms of its health effects. This government has decided to put another tax on it this time.

I am suggesting that there are some people in our society—I talked to a person, for instance, in my own constituency who is confronted with schizophrenia. I was quite surprised by this. If you are not exposed to it directly or you do not know people who are in that predicament, you would not know, but this person indicated that the only time he seemed to be avoiding his problem and some of the implications of this particular condition was when he had cigarettes. He lamented the fact; in fact in his particular case he said: "I know they cause me problems because of things such as lung cancer or heart disease or things of that nature, but in my everyday existence I believe I require cigarettes. It's the only time I can keep myself stable."

I was quite surprised by this, and it places me in a dilemma. I suppose one way of dealing with it is an exemption from this particular tax, but it is an interesting wrinkle on the whole idea of taxing tobacco products.

A second group I am concerned about that is hit by this are people who are very senior in their years, senior citizens who, no matter what you do, you are not going to convince them not to smoke. Those people, most of them at least, live on fixed incomes. When they are confronted with the federal tax which Mr Wilson put on in his last budget, and then a provincial tax in the Treasurer's budget, the member for Nickel Belt's budget, these people feel it is a great imposition on them financially, yet many are addicted to it or at least feel it is one of the enjoyments they have in their life in advanced age. I do not smoke and I do not know whether that is a legitimate health case or not, but it is nevertheless something which exists in reality. That is again why, when we keep piling tax upon tax on tobacco products, I wonder whether we are necessarily doing the right thing.

I applaud any efforts by a government and I think the three governments that have been in power have attempted to educate people not to smoke cigarettes, or pipes or cigars or anything else they might smoke, and the school system certainly has. I think you, Mr Speaker, were part of the education system at one time, if my memory is correct, and so was I, and I know there are many people in the education system who have worked extremely hard to convince people that there are adverse health effects related to smoking tobacco products.

I certainly applaud that and I believe that is the way we eliminate the problem, rather than by simply taxing people into oblivion, those who are particularly addicted and cannot stop the addiction, those who are senior citizens or low-income people and cannot afford it, and of course the individual I mentioned with that particular disorder. I believe him when he said that in fact it stabilized him. He was quite sincere in this and concerned about the increase in taxation.

In terms of utilization of the money, I could go on at some length on that. I do not think I will this afternoon. There are other taxes that I think are more ominous for the province than this. After I spoke in the House yesterday, I received some communications from people who watch the parliamentary network who are certainly in agreement that this is one of the factors that sends people to other jurisdictions to purchase their cigarettes, particularly over the border. I was quite surprised by that, because it was as much conjecture as anything else on my part, though I had heard it from many people, that the gasoline tax, the alcohol tax, the cigarette tax and the all tobacco products tax in fact had the effect of driving people to the other side of the border to make those and other purchases. It was confirmed when I spoke to people about this or when people phoned in. Some of them admitted that this is what brought them across the river, that they would like to shop in Canada but that they are relatively low-income people.

Sometimes it is a lecture. This is one of the dangers of cross-border shopping. People who make lots of money and do not find it as hard to make ends meet perhaps do not tend to shop in the United States as much as others. Some do—I am not saying they do not—but there are some low-income people who consider it almost essential, because of certain products they want to purchase, to go to the United States.

I think the cumulative effect of this tax and the tax that was levied yesterday, even though it is on high-income people—it certainly does not hit cabinet ministers and I do not think it necessarily hits anybody in this House who is an MPP, certainly not his income as an MPP—along with the gasoline tax, the fuel tax and the tax on auto workers—that is, the tax on vehicles, which is going to be detrimental to auto workers—those total taxes put together are taking a big bite out of the wallets and paycheques of people in this province, those who are fortunate enough to have a paycheque today.

There are many working people in this province who are concerned when they see tax upon tax piled upon them. There are many people who normally might be expected to support this government. The member for Chatham-Kent smiles over there because he knows who I am talking about. Certainly the Speaker himself, who no doubt is in very good touch with his own constituency, knows what people think about these onerous taxes on folks in Ontario.

I implore this government to reconsider this tax. I implore this government to reconsider all the taxes it is levying on the people of Ontario in these difficult economic times. People never like taxes. They tend to tolerate them more in boom times than in other times. We recognize that this is not the only Legislature which is levying taxes.

There are people who perhaps expect the federal government under the Progressive Conservative Party to levy certain taxes on certain people, but they do not expect the New Democratic Party to levy the same kinds of punitive taxes on the people of this province.

I have been in the union halls of this province and various places and have heard people complain about taxes. I know some of the members here enter those places from time to time. In Sudbury, I was in the Caruso Club. I am sure some of the people there who smoked were concerned about this tax. They were certainly concerned about the next tax we will get to, which I will not talk about today, the increased tax on alcoholic beverages we see being implemented. That, again, is driving people to other jurisdictions.

I hope all members of the Legislature, particularly the government members, who have it within their power to raise a ruckus in caucus, will speak for working people in Ontario, will speak for low-income people in Ontario, will speak for everybody in Ontario in attempting to convince the Treasurer and the Premier, who is the boss of everything, that these taxes should be withdrawn.

If they do so, I will be one of the first people to stand up and applaud that action. I even promise I will not call it a retreat in that specific case. If they were to withdraw any of those taxes, I at least would not stand up in this House and call it a retreat. Others may view it that way. I would not view it as a retreat. I would view it as what happens from time to time when the government listens to the opposition. As the member for York Centre said today, a collective sigh of relief is often heard in Ontario when this government backs down from some of its early initiatives. I implore them to do that today.

The Minister of Agriculture and Food is here. He has another interest in this, other than simply the tax, and he knows the difficulty those farmers face. In fairness to the Minister of Agriculture and Food, when this happens, if it discourages consumption, he has to find money—it is a diminishing return after a while—to deal with the plight of tobacco growers in the province. Indeed, he has to find money to deal with a lot of problems that are not easy to deal with. They were easy in opposition, but they are not easy once one assumes the mantle of office.

They should think about it over there and give it a lot of thought. I implore them, as New Democrats who portray themselves as friends of working people, as friends of low-income people and as friends of all the province, to withdraw these draconian taxes.

1550

Mr Hope: I always listen to the member for St Catharines. Sometimes he does not think I do, but I do. He pointed out one specific, that it was all right for the Liberals during their five-year reign. He mentioned that under good economic times it is okay to tax people but they do not like it. We have seen the actions of the Liberal government in good times, not looking at the books and trying to make sure things were properly spent in the appropriate places, instead of offloading it to the municipalities and then saying, "It's all right, good economic times are here."

I am sure the member will reflect on his comments throughout these debates. As he is the critic, I am sure he will take a close look at his comments when he reflects on auto workers and other workers across this province who are being affected severely. In the rough economic times we are in, we must understand the value of the programs this province has in place and make sure they are appropriately funded, and make sure the municipalities are not carrying the burden of the programs the government inflicted upon them in previous years. This is where this government has been very committed, through the taxation process.

Unfortunately there are those who will be taxed somewhat. If anyone believes in a day when there will be no taxation, I guess he is wrong. There is always a taxation somewhere, and where it hits is unfortunate. I, as a smoker, understand where taxation has to come from. I am not afraid to pay it; I do smoke. I enjoy it and I do not mind paying.

Ms Haeck: The member for St Catharines and I usually have this sort of friendly repartee, but it is usually on the dais at a softball dinner or something like that, when the master of ceremonies has made the mistake of calling on the member for St Catharines-Brock and me the member for St Catharines. I know that in this House he would not want to make that mistake.

At this point I want to correct one or two of his comments, one in particular, because it really has affected the peninsula and I think it is not the kind of impression we want to leave with people that only low-income citizens and people of moderate means within the peninsula go across the border to shop. The member for Lincoln and other members of the standing committee on finance and economic affairs were presented with a myriad of statistics and information which indicated that in fact it is mainly middle-income or upper-income individuals who are crossing the border on a regular basis to do the kind of shopping the member is alluding to. It is important for us to make sure people understand that it is not strictly an activity of need. This is an activity done very consciously by people who have the means to shop in Ontario.

Mr Bradley: I will respond in reverse order. To the member for St Catharines-Brock, the point I am attempting to make is that people of modest income, people who do not have a lot of disposable income, are those who are most justified, if anybody is justified, in seeking lower prices. They have to have their everyday needs met. Some of those are in terms of basic entertainment, sometimes in terms of cigarettes and sometimes alcohol and gasoline. They are the most justified, if anybody is ever justified, in seeking lower prices.

The member for St Catharines-Brock and the member for Lincoln, who share the peninsula with me and some other members, know we are a part of the province that is very significantly impacted. There are businesses closing in the communities we represent. There are farmers who are finding it mighty tough in the areas we represent. Because people are heading to the other side of the border, farmers cannot get them to purchase their products.

Very often they are not heading to the other side of the border to purchase food. Often it is beverage alcohol. It is often dinners they wish to have that are much cheaper over there because of the price of alcohol. It is often cigarettes, which are extremely expensive here and not nearly so expensive there, and of course gasoline, which is the main factor in taking them to the other side of the border. I know my colleagues in the Niagara Peninsula would certainly want this government to retreat—or at least withdraw, because I would not use the word “retreat”—from the taxes that are inclined to make us less competitive in Ontario and drive people to the other side of the border.

I am always interested in hearing from the member for Chatham-Kent. I know he would have supported those taxes in tough economic times to meet the obligations that were there in terms of social programs in this province.

Mr Stockwell: I would like to start off by saying that if you are going to approve any new tax or fight tax increases in general, the first and probably the foremost taxes you deal with are the sin taxes: tobacco and alcohol. Those would be the taxes most governments feel most at ease in increasing, probably because there are many special interest groups out there that will applaud any increase in any of those taxes. There are a number of people in anyone's constituency who see this as a definite advantage, plus or positive from any government.

That being said, we, in government, and particularly those in the government today, must be very careful and vigilant in ensuring there is not any disproportionate tax or overburdening of a tax situation. I think what we have reached today is a situation where tobacco is taxed to such an extent that it is now beginning to affect obviously not only the lives of the people who buy this product, but the lives of the people who produce this product. It is now a situation where the main reasons for people to go cross-border shopping—I sat on the cross-border shopping committee and the members across the House will admit this, I am sure, very readily—are gasoline, alcohol and tobacco. I do not think there is any debate about that.

When government examines places where it would like to see increased taxes, I think all governments come to the sin taxes, alcohol and tobacco, and feel they are justified and politically correct. It is an easy mark. Today we are generating from the tobacco industry something in the neighbourhood of \$1 billion in taxes; \$1 billion is generated by taxes on cigarettes.

It seems to me we have crossed that threshold. We are at the point now where I almost think the government, if it is truly going to live by its words—any of the three governments that were in power—should just ban the substance, abolish it if this is the debate, if the debate is going to reach a higher level, a higher plateau. Is it health care? It is the cost of maintaining in the health care system people who have smoked all their lives. The question then should be, why is the substance available for purchase and why is it available with government taxes added on?

The thought I have is that maybe the government, if it were truly going to entertain the thoughts that it professes, would be better having a debate about banning tobacco. Clearly that is not the case. No government is prepared to

do that. No government is prepared to see a windfall—and I use the term “windfall”—of incredible sums of money, \$1 billion a year in taxes, evaporate. That is probably why we do not reach that next plateau, which is to ban the substance.

1600

The argument may be made for alcohol, although they did try that once and it was not very successful. But specifically with tobacco, we then have a byproduct of the decision-making. The byproduct is that we are faced with a series of people who are involved in this industry who are being told on the one hand by government that they are important, their jobs are important, their pay is important and their vote is important, but what is also important is that we ensure that they do not work. Really, that is what this tax comes down to.

There have been studies that have directly shown that if a government raises taxes, it is going to drive a certain number of people out of work. In effect, on the one end the government is taking \$1 billion out of the system, but on the other end it is taking jobs away. Farmers have a terrible time surviving in the tobacco belt in Ontario.

I think we must be very vigilant as a government, as representatives here today, that we are prepared to debate the issue. Is the issue taxes on tobacco? If that is the case, let us debate that. Or is it whether tobacco should be sold? If that is the issue, then let us debate it.

The argument that comes forward on a number of occasions from the opposite side is the health care costs etc. The government could solve that problem.

The Acting Speaker (Mr Farnan): If I may interrupt the member, the issue is Bill 84. If the member would refer to Bill 84, that would be helpful as we proceed with the debate.

Mr Stockwell: Okay, Bill 84.

The government could straighten that out if it simply abolished smoking cigarettes. They would be banned. Then we would have the groups that endorsed this position applaud the government to no end. It would resolve the health care problems because you could not smoke, but I really do not think that is the issue. The issue on Bill 84 is the cash cow that has developed over the years, and the cash cow is \$1 billion a year.

What do we do with a government that is prepared to suck a tremendous amount of tax dollars out of the system but not prepared to deal with the responsibility that is left, and that is a whole bunch of farmers who are in real trouble? We can quote the statistics but they do not even need to be quoted any more; they have been used so often. There are 1,200 growers in Ontario. The number is down from 2,500 in the early 1980s. A very great many of them are not a profitable operation.

The question is—I put this to the Minister of Agriculture and Food—of the \$1 billion the government collects, and this new tax will add more on top of that, does that all go back into farming? Does that go back to the tobacco farmers? What percentage of that goes back to the tobacco farmers?

If the government is going to accept the accolades and the pats on the back, then it had better be prepared to make the decisions to help those people who are affected by those said decisions. I do not really believe this government is doing that in Bill 84. I think tobacco farmers would take great exception to this tax and they would have a list as long as my arm of reasons and rationale and non-support from government. I do not say it is specifically this government's fault. Tobacco is an easy mark and this is a tough decision. Any time politicians are faced with an easy mark or a tough decision, they take the easy mark, and here it is again.

The questions we ask ourselves are: Where are the resources to fund these farmers? Who is going to pay for it? I think the person who should pay for it is the person who is collecting the money. If the government is prepared to accept the tax, then it had better be prepared to support the farmers. We cannot have one without the other. I do not think that in Bill 84, with another cash grab, the government is doing that. I think it is irresponsible and it is a disservice to the growers in this province.

What is painfully obvious to me as well when we deal with this issue is that the backbenchers in this caucus have very little input into the decision-making at the cabinet table.

Mr Wiseman: You are wrong.

Mr Stockwell: The member suggests I could be wrong, and it would not be the first time. I could have sworn somebody sent the police in. Apparently I am wrong on that one. I could have sworn they promised government-run auto insurance in their last election bid. I could have been wrong about that one. I could have sworn they made a whole bunch of promises in the Agenda for People. I could have been wrong about that, but it is all here before me.

Maybe I am wrong, but it seems to me from the history of this government and this member, including with respect to Bill 84, what you say at election time and what you do when you are in government are two completely different things. Before you start chastising members for being wrong, maybe you should examine your history and exactly where you came from, because I do not even recognize you people any more.

The Acting Speaker: Would the member speak to the Chair, please.

Mr Stockwell: On Bill 84, what is painfully obvious and what I think is missed in the address is, when is enough enough? I guess that is what I would like to hear from the Minister of Agriculture and Food. What about next year? What do the farmers have to look forward to next year? Can he give them any guarantees, any security that they do not have to be faced with this enormous burden to carry? Can he give them any guarantee: “Okay, this is a one-time tax and for the rest of our term we are not going to increase it”? Can he give them those kinds of guarantees, and if not, how come? They deserve that, because their lives, their livelihoods, their investments are resting precariously on whether or not a single group of people, a small group of people in cabinet, decide whether

y want to go for the easy mark again rather than making tough decision.

As I was saying before, I cannot understand how this cabinet which listens to its caucus members cannot understand the pleas I am sure it hears in caucus from some of its members on its own side of the House. I cannot believe the government does not hear their pleas, because I know that they are telling it. They are telling it their farmers cannot afford it. They need some help, and if it is going to take them to death, it had better redirect some of the money back to them.

I am fundamentally opposed at this time in this province to increasing taxes on absolutely anything. I think as a province we are tremendously overtaxed. We have too much government, we have too many bureaucrats, we have far too much of everything involved in government to go on and live our lives in a fair and profitable fashion. I use that term "profitable" very carefully. I will not accept a tax on tobacco as I will not accept it on alcohol and as I will not accept it on gasoline, for some of the reasons I have outlined, not the least of which, I might add, is that it is one of the major problems for cross-border shopping.

I doubt very much if this government—just to allow it to feel at ease—could bring forward any tax that I would support at this time. I doubt very much the previous government under its Premier could have brought forward any of those taxes that I would have supported at that time. I think it is counterproductive. It is a tax that will penalize farmers and obviously smokers disproportionately. It is an easy mark for a government to make to get left-handed applause, left-handed backslaps from certain special-interest groups.

I have been very interested and I have listened very attentively to that side of the House. I heard the rationale from a number of speakers on why this tax had to be increased this year. I did not hear from any members who told me exactly what the farm community was saying to them and I did not hear from any members who felt they were speaking for the tobacco farmers, which I find very interesting from a party that previously supported, spoke for and endorsed the farmers at great length. It is a government that I think no longer listens.

In conclusion, Bill 84 will go through just like all their other taxes. It will do a number of things. It will probably raise a little bit more money. It will ensure a few other decisions made by the public. It will ensure more people will cross-border shop for tobacco. It is going to ensure that when they go over to cross-border shop, they will buy gasoline. It is going to ensure that they will buy more alcohol. It is going to ensure that they will spend more disposable income across the border. It is going to ensure that this government will make the farmers that much more unhappy and insolvent, and it is going to ensure that this government fattens its coffers to a very small degree.

When you analyse this tax and stack up the negatives against the positives, it seems to me there is only one argument left and that is the health argument. If that is my friends' argument, which a number of members have made, then I suggest they make the argument, they introduce a ban, they go forward and ban this, because if that is

their point, what they are doing today is not servicing anyone. They are hurting cross-border towns, they are hurting farmers, they are hurting manufacturers, they are hurting union jobs, they are hurting the companies that produce this product, all for a minor gain in their tax revenue.

I will close. I do not think there is a tremendous amount of thought in this, other than the fact that this government was very short of money, it was very short of ideas, it had a \$10-billion deficit, it had a 13.5% increase in spending, it had expanded the civil service to the tune of some 14% in payroll, and it seemed like the easiest thing for this government to do was to tax tobacco, alcohol and gasoline. This government taxed the three of them. It was probably the wrong tax, not very thoughtful and clearly the easy way out. I do not particularly think it was the right choice.

1610

Mr Johnson: It heartened me to hear the member for Etobicoke West say he does not blame this government entirely for all the state of taxation we are dealing with in this province right now, the present state of taxation we find ourselves under. That heartens me.

I have to say that I too am not a smoker. I think it would be wonderful personally—and I speak personally now—to eliminate cigarettes altogether. It would mean we would have healthier people and the costs to the health care system would be diminished. I think that is a positive thing. But the implications of doing that are very complex and quite profound, and I see the member agrees with me.

The member mentioned some things that concern me with regard to these items being less expensive in the United States. He said, "Why don't we ban tobacco?" One of the implications certainly would be that Ontario cannot do that. It is not within Ontario's jurisdiction to make these laws. Only Canada can make laws to regulate trade and commerce in the country. I suggest this is not a responsibility we have.

I might pose a question to the member. I might ask him—

The Acting Speaker: Would the member direct his comments to the Chair, please.

Mr Johnson: Yes, Mr Speaker. I would like to ask the member what he would like to cut. I hear him mention some things with regard to the government making cuts, but the people of Ontario want their services and they want them administered properly and efficiently. I think if we make cuts, then the people of Ontario will not get what they want. I think this would be most unfortunate.

Mr Sterling: I listened with interest to the member for Etobicoke West. He talked about the whole issue of banning the sale of tobacco, or the consideration of that. I think that was half in jest, quite frankly, because I think our lesson with prohibition during the 1920s showed that it was a very difficult goal to achieve.

I think what is important in terms of the growing of tobacco is that governments getting this tremendous source of wealth from tobacco taxes—over \$1 billion—should offer the tobacco producers an opportunity to get out of that business and into something else.

At the present time, there are over 500 tobacco producers in Ontario who are lined up at the gate to take advantage of the Redux program. This government and the previous Liberal government have not funded a program in order to offer any money at all to these tobacco growers who want to get out of the business. There was a \$45-million program that was instituted in 1989 and now has run out.

I think it is absolutely essential that when a government takes this much out, \$1 billion, and is putting absolutely nothing back in—that is totally unfair to the communities. Whether or not we could ban this would probably involve criminal law, if we are talking about the actual banning of it, and therefore those offences would properly fall under the federal government.

Mr Carr: I want to rise and compliment the member on his part of the debate. It is interesting when we look at his background. He is somebody who has been fighting taxes at the municipal level for many years and is known as somebody who has a respect for the taxpayers' dollars. I have seen very clearly that what he says when he comes to this particular Legislature is exactly what he talked about doing.

I say to my friends opposite who talk about the taxes and say they had to do it, the fact of the matter is that where they have to start is to control spending. It is not an easy process to do that. It is very easy to play Santa Claus, as they did in the last election campaign, and give to everybody what they want when they want it and say to this group, "You can have what you want," and to that group, "You can have what you want."

Unlike some of the backbenchers who honestly thought the money would fall out of the sky for all these programs—and I honestly say that a lot of them thought there would be enough money; most of them did not have the experience—my criticism to the Premier was that when he made those promises he knew the money was not going to fall out of the sky for them. So now we have the tax increases, I say to them that what they need to do is look at spending.

On that point, I will just say very briefly in the time I have left that tomorrow morning we are going to be having a particular piece of legislation, which is basically known as a sunset provision, introduced by myself. If the members opposite are truly interested in the tax situation, tomorrow I hope I will have their support in the sunset laws controlling spending, because that is where it starts. They need to control spending before they can reduce taxes, and this government has shown very clearly with the 13.5% increase that it does not know how to control spending. Tomorrow morning we will be looking for their support, and I want to thank my colleague the member for Etobicoke West for a very fine statement earlier.

Mr Stockwell: I want to thank the member for Carleton and the member for Oakville South for their kind comments.

Mr Johnson: Mine were kind too.

Mr Stockwell: They weren't that kind.

I have sat here and listened and I have heard really nothing in response with respect to how hopefully the tobacco farmers can look forward to the future. I will

read a paragraph or so from this document called *An Agenda for People*. It speaks about farmers in here, not specifically tobacco farmers, but farmers in general.

"New Democrats propose making long-term debt financing available"—and here we go—"to farmers at the government's long-term borrowing cost. Up to \$100 million would be made available."

That to me—

Mr Hope: Excellent.

Mr Stockwell: That could be very well, I do not know. We should debate that one day in the House when the piece of legislation comes through.

The Acting Speaker: The member for Chatham-Kent may recognize the significance of this yellow card. I would certainly appreciate your co-operation by listening to the comments.

Mr Stockwell: Those are the kinds of things that I think farmers today are looking for. When the government takes \$1 billion out of the system from tobacco farmers, farmers are looking for some kind of give, something on the government's part. Not once has any member from the government caucus stood up and told us or the farmers what they are going to do for them. Not once during this debate have I heard anything that the minister said he would do to help the farmers. The government told them in the election that it would lend them \$100 million at preferred interest rate—a pipedream. They told the tobacco farmers they were going to increase taxes, that they are going to help them with rebates and farm programs—another pipedream.

Rather than standing up and mouthing words, maybe the government could do something if it is going to suck this much money out of the system.

1620

Mr Mills: It is a pleasure to stand in my place here this afternoon and take part in this debate. I am at somewhat of a disadvantage in that I spent Monday and Tuesday in the standing committee on administration of justice and had to follow what everybody said through Hansard; that makes it a little bit difficult to speak succinctly.

On Sunday afternoon, in my own riding, I was at the opening of a new separate elementary school, very wonderfully named the School of Mother Theresa. We were there and it was one of those wonderful things that happens in your community. The children were lined up and they were in their best clothes and they were singing songs like "We Are The People." There was the junior band in the background playing some wonderful uplifting music. After the ribbon was cut and all the speeches were made, we adjourned to the lounge and had tea, biscuits and little pieces of cake baked by the parents of these children.

In that period of time, I was able to mingle with these families and inevitably the talk centred on what a wonderful facility had been built in my riding. Indeed it was. It is a credit to everybody who participated in it.

Inevitably too, we touched on what schools like this cost, and I said, "It's wonderful to have all these facilities but they cost money, and the only way the government can get money is through taxes, through you, you and you, to

ate this." They did not really want to listen to that. It seems that people want things, but there is a price to be paid.

I bring that up in this debate because the tax that is being raised on this tobacco is needed in Ontario at this time for many reasons. We came into government expecting the books to be balanced and, alas, they were not. There was even supposed to be a surplus, but we found ourselves in a huge deficit position.

I have great difficulty standing here this afternoon and listening to the self-righteousness of the third party. There are not many of them left now, but at one time of day there were many of them. Notwithstanding the fact that the faces have changed, the philosophy is still there. I would like to touch on perhaps the biggest tax hoax that was ever perpetrated on the people of Ontario; and it was done by the third party through—most of us do not remember—the *ad valorem* tax that was placed on tobacco.

Probably a lot of people who are listening do not know what I am talking about, but we had taxes set at budget level by the third party in those days and they were not satisfied with that tax. They are self-righteous and talk about how—the member has gone now who said, "We are doing tax reductions, tax fighting, we went all over the province on a bus." They perpetrated the most insidious form of collecting taxes. They had their forces of tax inspectors, which numbered about 30, fan out all over the province—

Mr Ruprecht: On a point of order, Mr Speaker: I have listened to the comments very carefully and I had assumed that when the Premier and many of the ministers were getting up almost daily in question period and saying: "There shall be absolutely no finger pointing. We shall be having an easier time in this Legislature"—

The Deputy Speaker: Thank you. That is not a point of order. Will the member for Parkdale please take his seat?

Mr Ruprecht:—"and we shall be much more easy on each other and this member still keeps"—

The Deputy Speaker: Order, please. Please take your seat.

Mr Ruprecht:—"finger pointing every minute of the day."

The Deputy Speaker: Order, please. I would remind you—

Interjection.

Mr Ruprecht: What's positive about you? You just drag us guys down. What is your policy?

The Deputy Speaker: Order. I would remind the member for Parkdale to be a little more respectful vis-à-vis the Chair. The member for Durham East.

Mr Mills: Why I am giving this slight history lesson—as the member for Renfrew North gave a history lesson talking about Bill 118, the Power Corporation Amendment Act—I just feel that I have some obligation to talk about the history of tobacco tax in Ontario.

As I was saying before I was rudely interrupted, the tobacco tax inspectors fanned out over Ontario gathering the prices from all these stores so they could be put into

some sort of computer and then come up with an increase in taxes every three months.

I can tell the members, some of whom are too young and do not remember, that discount stores were out of bounds because if you went to a discount store you might get a slightly lower price and that would not reflect a tax increase, and for goodness' sake they could not come back with a tax increase.

We just look at this dismal litany of tax increases, when the third party stands there so self-righteous today. They increased tobacco tax in May, July and October, 1981; January, April, May, July and October, 1982, and January, April, May, July and October, 1983. They stand there with audacity and talk about this government raising taxes to take up the slack from the deficit position that it inherited from the official opposition.

While I am on the subject of tobacco tax inspectors, I would just like to say a word about that fine band of people. There have been 30 of them in Ontario, and they do an absolutely first-class job trying to contain tax evasion, tax fraud, and keeping a lid on the tax collection in this province. I must say that there is not a finer bunch of people working in the government of Ontario than those people, and they are led by some very fine superiors, too.

I looked in Hansard and saw that the member for Ottawa East asked some questions: Is the tobacco marking system working? It is my understanding that it is working very well and that it has really stopped a lot of the fraud and circumvention of the tax act that was taking place.

This went on, and then when the opposition came in, it formed that government in its brief spell at the top. They recognized that this *ad valorem* tax was a terrible thing, and to their credit they abolished it right off the top. But that is not the end of the story. They saw fit to increase taxes on tobacco in January, April and July 1984; in January 1985; in January 1986; in January 1987; in April 1988; in January 1989, and in January and April 1990, so their record as tax fighters does not stand up to much scrutiny.

I want to talk briefly to the amendment proposed about reasonable and probable grounds to enable detentions of vehicles for searches. I can speak with some experience of that. It has been a flaw in the legislation for months, and it really prohibited these fine inspectors from carrying out their job efficiently because they were hampered by that flaw in the legislation. A change was set about through the *Johnson v Ministry of Revenue* case, which said the section contained no requirement of reasonable and probable grounds or even of probable suspicion. So this amendment sets that right and will enable the inspection staff to better carry out their duties.

In closing, I want to speak about farmers. A lot of farmers in my riding of Durham East were tobacco farmers, but in their enlightened view of what was going to happen in Ontario they switched their operations to tomatoes, cucumbers, carrots, potatoes, bedding plants and all manner of things.

I do not think they can really blame the government about the decline in smoking. It is a fact of life that smokers are declining, albeit the tax may be one form of a gentle way of making people give up smoking, the facts

are out there. The health data are out there and people are giving up smoking by the hundreds on their own intuition that it is not healthy.

When I was a young man we did not know that smoking was not healthy and we smoked, but now in the schools and everywhere we go, young people are getting the message that smoking is unhealthy, and I do not see, as the member for Etobicoke West argued, that we are out to set smoking aside by reason of taxes because it is unhealthy. We do not have to do that. People are getting common sense, so I applaud the farmers in my riding who are using alternative methods for their land and are doing very well at it.

In closing, I would like to be part of a government that does not see any need to increase taxes, members should believe me. I have great empathy with the folks out there, the working people and everybody who has to pay these taxes, but the fact of life is that society demands a level of services that have to be met, and unfortunately in these times the only way we can meet the demands upon society is through the tax revenues: tobacco, cigarettes, gasoline or diesel.

1630

Mr Ruprecht: I have listened to the comments of the member for Durham East with great interest, and while we have a certain respect for him as one of the senior men in the NDP government, I would only say that he should also consider listening to his own boss, the Premier, and to some of the ministers when they say that in order for this Legislature to be more effective—in this case, of course, we are talking about special taxation—and to be a kinder and gentler place, let there be no finger-pointing.

While the member for Durham East is quite open in his criticism of opposition, I would like to caution him and all members of his government that simply to criticize what the tax policies were previously, and simply to say, "They were adding on tax after tax and got us into trouble economically," is taking away from their own policies, taking away from their own sense of justice and their own sense of making a significant contribution to this Legislature in terms of the formation of tax policies.

I would like to ask the member for Durham East a question in terms of his own point: Are these taxes this government is now proposing on tobacco really sin taxes, or as he says are those taxes inclined to nudge and encourage and influence people to stop smoking? Which of the two is it going to be?

Mr Sterling: I heard with some amusement about the distaste the member for Durham East has for the ad valorem tax. I only remind him that the bill we just debated prior to this bill, Bill 83, which was a surcharge on the income of high-wage earners and high-income people in this province, is in fact an ad valorem tax in itself. The whole argument as to ad valorem taxes was a bit of a bogus argument in terms of comparing one with the other. The retail sales tax is in effect an ad valorem tax. All the taxes that depend upon an escalating value and inflation, for instance, in the prices of goods each year, as we have seen from year to year over the last 10 years, leads to a

higher amount of income the government gets and is in effect an ad valorem tax. It is a percentage of what is there and if what is there increases, so does the tax take. It is a bit of a bogus argument.

What I find extremely humorous about the member for Durham East is that I know his job before he became a member of this Legislature. Surprise, surprise, it was as a tax collector. Is it not amazing? When a person is a tax collector, he finds a great deal of trouble with the government's suggestions as to a change in tax policy like the ad valorem tax, but when he transfers from being the tax collector to sitting in this noble chamber he can defend the tax very easily. I understand his defence as a former tax collector but now a legislator, of the government's increase in taxes because the member no longer has to collect them.

Mr Hope: It is always a pleasure to listen to the member for Durham East when he speaks, because he speaks of a lot of history. To us young lads who are sitting in this House today and the people who are viewing the proceedings, it is very important for us to understand the system that has been in place—I think he eloquently put it—and the increases that were laid upon it.

That brings me to the comment about the effect of this issue on the tobacco farmers. A lot of the tobacco in my area is exported; very little is used for import. The member for Durham East talked about the taxation policies of previous governments, and then we heard from the opposition. As the member so clearly put it, it is because past practice made a lot of damaging things. Take a look: Since 1981, the government before the previous one, the Conservative government, implemented a lot of changes and put in 90% and 100% increases in taxation. It was not talking about the care of the farmers then.

It is very important that we as a new government look at strategies. I know the minister and the parliamentary assistant are looking at strategies to try to help the local farmers, which the member for Durham East talked about. A lot of the farmers are changing their product, looking at other products to produce on their land. We are making sure there are initiatives there to assist them in this. I know the minister and parliamentary assistant are looking at long-range programs and following the Agenda for People, which we put out during the campaign.

I must reiterate that it is not something new currently devastating the tobacco farmers or devastating the people of Ontario. One good thing was that we never went after their paycheques and made sure we were not hitting them there.

Mr Runciman: The reality is that fewer and fewer people are drawing paycheques in this province as a result of initiatives of the former Liberal government and this current government.

The member for Durham East talked about the tax on cigarettes, going back to Conservative years and Liberal years. I can only go back to mid-1985, when the Conservative government left office after 42 years of good government in this province, and I do not think we had the situation we currently face with respect to cross-border

opping, where tobacco purchases are a major element of incentive for people to cross the border to make purchases on that side. Of course, another major element, which we have heard in this debate as well, is the question of smuggling.

If the member for Durham East really believed in the argument he was making, the government would initiate a total ban on cigarette sales, with respect to the health care costs associated with smoking cigarettes.

The member for Chatham-Kent mentioned a 100% increase, I believe, for the Conservative government. I would like to have him stand in his place and spell out when that may have occurred. Certainly those of us on this side cannot recall any such increases ever taking place.

Obviously tobacco farmers are suffering in a significant way, but I think we also have to take a look at the tobacco companies in this country and this province who make a contribution. We can look at the DuMaurier Jazz Festival, the Rothman's International and the Player's International tennis match. They get involved within the communities where they operate and make a contribution which all of us benefit from. That is another side of the equation that is rarely talked about and that has to be given some consideration.

I think we have gone beyond striking a fine balance for what is an appropriate taxation level in respect to cigarettes. We have taken it beyond that point, to where it now is really encouraging people to either break the law or cross the border and hurt the economy of Ontario.

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Mr Mills: I really appreciate all the comments on the few things I had to say. I would like to speak specifically to the member for Parkdale. I must say that my own personal view—and it is not necessarily the view of the Premier—is that, yes, when the government increases taxes on cigarettes, at the price they are today, \$30 or \$40 a carton—nudge, nudge—maybe it is best to give up. The feeling that we will effect is in health care. That is my own personal view.

I think back to that hot, sweaty day, I think it was in June, when we had the big tax revolt out here. All these people from Bay Street were standing there with their little phones and their Rolex watches glinting in the sun, and I went out there. There was a fellow standing there with perspiration running down his face, and I said: "What's the matter? What's the big deal here?" I did not know what was going on.

He said, "It's the taxes." I said, "Well, what's wrong with the taxes?" He said, "We can't take it any more; we've had enough." Where were those people in 1981-85 and 1985-87?

[Applause]

The Deputy Speaker: Order, please. I remind the members of the public in the gallery that they are not to participate. The member for Durham East.

Mr Mills: Thank you kindly, Mr Speaker. I thought you were cutting me off and I hurried up, but I would just like to say again—

Mr Sterling: There wasn't any reason to be there in '81.

Mr Mills: There was no reason because the people were not organized. Had they known what was happening to them in those years, they would have blocked the Queen Elizabeth Way and every road into these Parliament buildings to protest the way they were operating here.

M. Poirier : Merci, Monsieur le Président. J'aurais bien aimé que Madame la Ministre soit présente parmi nous cet après-midi, parce que j'aurais voulu pouvoir m'adresser directement à elle. Mais, puisqu'elle n'y est pas, je suis certain que ce soir, avant de se coucher, elle aura l'occasion de lire le Journal des débats pour prendre connaissance de ce qui a été dit et de comprendre notre frustration avec une situation toute à fait particulière.

Avec ce genre de projet de loi pour augmenter les taxes sur le tabac, il est évident qu'on pourrait faire très facilement une discussion philosophique, à savoir la responsabilité de l'État à charger, oui ou non, des taxes sur les produits tels le tabac, mais aussi la philosophie du consommateur, et surtout, en ce qui a trait aux fumeurs et aux fumeuses, à savoir leur réaction face à l'utilisation du tabac, le tabagisme, mais aussi à comprendre et accepter, pas seulement le coût de la cigarette, mais les coûts que le gouvernement doit déboursier pour offrir des soins de santé à ceux et à celles qui abusent du tabac.

Je me rappellerai toujours d'avoir eu une discussion, il y a quelques années, avec la ministre de la Santé lors de notre gouvernement. Je lui avait posé une question: «C'est évident que nous récoltons un certain montant de taxes sur le tabac, et selon les chiffres que j'ai vus récemment, on s'apprêterait à récolter cette année plus d'un milliard de dollars en taxes sur le tabac.» Elle m'avait dit, «Pour chaque dollar que nous récoltons en taxes sur le tabac, le ministère de la Santé doit déboursier quelque 3 \$ en soins de santé pour les maladies liées au tabagisme.»

Évidemment, les fumeurs et fumeuses, lorsqu'ils voient augmenter la taxe sur leur produit favori, rouspètent, et c'est bien normal. Je pense qu'il n'y a aucun député, peu importe le parti, qui va recevoir une lettre de félicitations d'avoir augmenté les taxes sur le tabac, l'alcool, etc. C'est normal. Après sept ans, je ne me rappelle, moi-même, d'avoir reçu aucune lettre de remerciement.

M. Grandmaître : Ou de félicitations.

M. Poirier : Ou de félicitations, bien sûr. Mais, par contre, il faut que les gens comprennent que ça vient de la même recette, de la même poche de revenus : les dépenses de soins de santé versus les recettes pour les taxes sur le tabac.

Je rappelle à mes amis fumeurs et fumeuses, et j'en suis un moi-même, que, puisque nous sommes en minorité, lorsque—pas si—nous aurons besoin des soins de santé reliés à notre tabagisme, ce sont les contribuables non-fumeurs qui vont, d'une certaine façon, subventionner nos soins de santé. Puisque eux et elles ne fument pas, et leurs taxes vont contribuer à payer nos soins de santé.

Mais il faut que le gouvernement comprenne, également et surtout, lorsqu'il taxe à ce niveau-là, que nous sommes voisins d'un pays, les États-Unis, qui n'a pas le

même niveau de taxes sur la vente de tabac dans les magasins. Il est évident que cette différenciation-là entre deux pays voisins, ça cause un problème particulier. Je me rappelle, il n'y a pas si longtemps, l'année passée, en voyage au New Hampshire, j'ai acheté deux paquets de cigarettes et j'ai demandé à la dame combien c'était. Elle m'a dit, «C'est 3,10 \$.» Donc, j'ai mis 6,20 \$ sur le comptoir. «Non, non, monsieur, c'est 3,10 \$ pour les deux paquets.»

Évidemment, pour un fumeur c'est la superbe occasion ; on croit que c'est l'aubaine instantanée. Mais, malheureusement, je suis certain que les fumeurs et les fumeuses de cet état, ou de tout autre état américain qui n'a pas une tax élevée sur le tabac, lorsqu'ils auront des problèmes de soins de santé, ils feront mieux de faire une neuvaïne pour s'assurer qu'une compagnie privée accepte bien de couvrir leurs assurances-santé. S'ils n'ont pas d'assurances-santé, ils pourraient facilement faire face à une note de santé, via une facture de l'hôpital, qui pourrait atteindre 100 000 \$, 150 000 \$ ou 200 000 \$. Je suis certain que si c'est le cas avec ce fumeur du New Hampshire ou d'ailleurs, qu'il aurait peut-être préféré acheter son paquet au Canada, et avec le niveau de taxes du Canada.

Bien sûr, les fumeurs n'admettront jamais qu'ils auront besoin d'une opération à coeur ouvert qui pourrait coûter à l'État 250 000 \$ et peut-être même un million de dollars de soins pour la durée de leur vie. Ça, ils l'apprennent après l'opération, jamais avant.

Mais que fait-on, nous au Canada, pour avoir cette différenciation de prix du niveau de taxes ? Surtout pour nous dans l'Est de l'Ontario, étant très près de la frontière américaine, je peux assurer les députés que plusieurs dépanneurs m'ont dit que lorsque la taxe a été augmentée à ce niveau-là, leurs ventes de produits de tabac, de cigarettes, tout ça s'est envolée en fumée. Excusez l'expression, le jeu de mots.

Pourquoi ? Parce que tout le monde a arrêté de fumer ? Non. C'est parce que, tout d'un coup, il y a des gens moins respectueux de la loi, sans grands principes, qui ont trouvé moyen de mettre la main sur des cigarettes canadiennes, mais contournées via un petit voyage touristique aux États-Unis, et qui nous sont revenues en grandes cargaisons dans l'est de l'Ontario et, j'en suis certain également, partout à l'échelle de l'Ontario pour ne pas dire du Canada.

Je me demande quelle sorte de voyage touristique ces chargements de camions de cigarettes ont bien pu faire. Mais, de toute façon, peu importe d'où elles viennent ou comment elles se rendent là, elles se rendent chez nous dans ma circonscription. Les dépanneurs crient aux méventes. Mais les gens qui fumaient, ils fument toujours, et les gens se promènent se vantant de l'aubaine qu'ils ont bien pu faire auprès de certains vendeurs de cigarettes illégales chez nous dans Prescott et Russell.

J'ai entendu dire mon bon ami le député de Durham-Est, qui malheureusement nous a quitté pour le moment, qu'il est certain que les inspecteurs font un bon travail, qu'ils vérifient bien que les dépanneurs, les propriétaires de magasins, respectent bien la loi et ne vendent que des cigarettes dûment étampées, disant que les droits d'accise ont été payés en Ontario.

Mais je pense qu'il y a quelque chose qui se passe qui est un peu bizarre. On fait l'inspection des vendeurs ayant une licence de vente. On rentre dans les magasins, on vérifie le stock, etc, mais on me dit que les gens qui vendent ces cigarettes illégales ne sont pas, malheureusement, des vendeurs licenciés, ne sont pas des dépanneurs, ne sont pas des propriétaires de petits magasins de coin. Se sont des gens, M. et M^{me} tout le monde. On me dit qu'il y en a même qui sont au chômage, qui ne travaillent pas présentement mais qui font des bonnes recettes en vendant des cigarettes illégales.

1650

À la demande des propriétaires de ces magasins-là, je me suis renseigné auprès du Ministère. On me dit qu'on fait des enquêtes, qu'on viendra voir, qu'on surveillera la situation. Au moment où je vous parle, les ventes de cigarettes illégales continuent de très bon train. Les dépanneurs sont toujours frustrés. Ils n'ont pas retrouvé leur niveau de vente d'avant l'augmentation des taxes. Il y a quelque chose de bizarre qui se passe.

Ce qui m'inquiète — je ne veux pas blâmer les fonctionnaires du Ministère ; je suis certain qu'ils sont débordés — mais il semblerait que le gouvernement ne fait pas bien son travail pour s'assurer de couper à la source ces ventes de cigarettes illégales. Ça se passe chez nous et je sais que ça se passe ailleurs, d'où le dilemme d'un gouvernement.

Jusqu'à quel niveau de taxe le gouvernement est-il permis de demander des taxes si en retour la contrepartie de ça va dire qu'un trop grand nombre de consommateurs et de consommatrices, de fumeurs et de fumeuses, vont se procurer librement sur le marché illégal des cigarettes canadiennes qui n'ont pas été assujetties aux droits d'accise au Canada et en Ontario.

C'est un grave problème. D'après des études que j'ai faites là-dessus, il est évident qu'il y a un manque à gagner épouvantable au gouvernement de l'Ontario avec ces ventes de cigarettes illégales-là.

M. Grandmaitre : Des pertes de taxes.

M. Poirier : Des pertes de taxes tout à fait épouvantables. Des taxes où, avec le niveau de déficit, sûrement, le gouvernement apprécierait avoir la main dessus pour combler son déficit, notre déficit global à l'Ontario et s'assurer d'offrir encore plus de soins de santé à ceux et à celles qui auront des problèmes de tabagisme tôt ou tard. C'est la seule certitude qu'on a en fumant : ce n'est pas «si», c'est «quand» on aura des problèmes de santé.

Donc, moi je m'inquiète. Je crois que ce projet de loi a été au-delà du raisonnable. Bien sûr je le dis au fumeurs et aux fumeuses qui me disent : «Je peux menacer de cesser de fumer. Vous seriez mal pris. Vous ne pourriez pu récolter, à ce moment-là, la taxe sur le tabac.»

Avec l'explication que j'ai donnée tantôt, je leur dis : «Bravo ! J'espère que vous allez tous cesser de fumer.» Ça voudrait dire, pour chaque milliard de dollars de taxes qu'on perdra de la taxe sur le tabac, ça va nous coûter 3 milliards de dollars de moins en soins de santé, comme je le disais tantôt, qui sont subventionnés par les non-fumeurs de cette province.

Donc, si les gouvernements persistent à aller à des niveaux astronomiques de taxation comme ça, sans mettre en place un système beaucoup plus à l'épreuve de l'eau, des inspections pour s'assurer qu'il n'y a pas si librement de ventes de cigarettes illégales, on va passer à côté des millions et des dizaines de millions, sinon pas des centaines de millions de dollars en taxes perdues à tout jamais.

Le gouvernement aura établi en Ontario une tradition de s'approvisionner illégalement, librement de produits de la cigarette venant de marchés noirs. Une fois que ces systèmes-là seront mis en place — il semblerait que ces systèmes-là sont très bien en place en Ontario présentement — la tradition aura été établie et ce sera mille fois plus difficile par la suite d'essayer de pouvoir maîtriser la vente illégale de cigarettes qui n'auront pas été assujetties aux droits d'accise de l'Ontario.

Je voudrais dire à la Ministre quand elle lira bien mon discours dans ses moments perdus avant de se coucher le soir, qu'elle m'explique ce qu'elle va faire pour s'assurer que les enquêtes que son Ministère va faire seront des enquêtes qui sont beaucoup plus à l'épreuve du contournement de ceux et celles qui font la vente illégale de cigarettes comme ça se produit chez nous. Les gens qui en raffrent, les vendeurs qui sont honnêtes, les dépanneurs qui ont leur licence et qui ont toujours respecté la loi, ces dépanneurs qui sont à la merci de la qualité de la loi du gouvernement, attendent avec impatience sa réponse à savoir comment il va boucher tous les trous et arrêter ces ventes libres de cigarettes illégales.

Donc, voici le message que j'aurais préféré dire directement à Madame la Ministre, et j'espère que mes collègues, mes bons amis du gouvernement, pourront bien transmettre ces inquiétudes-là, et je suis certain que chez eux également, se produit cette vente illégale.

Ms Haeck: I am very glad that the member for Prescott and Russell has really raised these, I think, very valid and important issues because he makes some very good suggestions as well and puts forward some very good questions.

I would respond initially by saying that the issue of border inspection has existed for many years. This is not something that occurred as of September 6, 1990. Having lived on the border for virtually all of my life, I know that the issues of alcohol and tobacco in particular you could never have enough inspectors to take care of what comes across the border. Trying to hire more inspectors to deal with that problem obviously would open that particular situation for more comment from his own party as well as from the third party.

I also think it is extremely important to address the issue that virtually every country in the world has to recognize: the situation faced by the consumption of tobacco. On the one hand it is quite clear that it is a health problem. Countries like France, in particular, where they own a large share of the Gauloises cigarette company, realize that it is nice to have those tax dollars, but it is also a rather large liability to take care of large numbers of individuals who then have serious health problems and are severely affected.

This government is facing that very same issue and has to address it. It is something that this tax around the health care issue does take care of, because you have to pay for these lifestyle issues. In the United States they have taken on the issue of the private insurers forcing workers off the job for lifestyle reasons. It is not a situation that I, personally, want to see. I think we really have chosen the best method to deal with a very tricky problem.

Mr Bradley: If the government really wanted to stop the problem from a health point of view, of course it would ban the sale of cigarettes in Ontario. Instead they see it as a cash cow, and that is the real reason.

If they were to take the money from this and allow the operating costs of CAT scanners in the Niagara Peninsula, one could possibly say that would be a good idea. But one has to suspect that there will be a diminishing return from this tax, because as people rush over to the other side of the border to purchase their cigarettes and other tobacco products, of course there will be fewer tax dollars coming into Ontario. In the very short term they may get an increase as a government in the amount of revenue that is derived from this particular measure; however, they are going to find it is declining and they will have even less money and they will be even more resistant to putting a second CAT scanner in the Niagara region.

You, Mr Speaker, live in the Ottawa region. You know how important it is, but you do not have a lineup of over five months for people to use a CAT scanning machine as a good diagnostic tool. If this were being applied directly to this particular measure, if this were a tax the revenue of which would go to CAT scanners across Ontario or other diagnostic machines, there might be some people who would say it is a reasonable tax. But we are obviously not going to have that happen from this particular tax. Instead we have a very complicated system, after people have already made a determination that there is a need for such a CAT scanner—the dogs and cats are getting scanned in York region, but in St Catharines and in the Niagara Peninsula, other people have to wait for up to five months—on that basis, since it is not going to that particular reason, I think that it is yet another reason for not supporting this particular tax.

1700

M. Sola : Je vais essayer de dire quelque en français. Je veux applaudir mon collègue le député de Prescott et Russell, d'avoir démontré la «fallacy» que la taxe sur le tabac peut accomplir deux choses : diminuer l'habitude de fumer et augmenter les revenus du gouvernement.

Personne ne peut prouver que la foule fume moins après cette taxe, mais tout le monde peut montrer qu'il y a beaucoup plus de magasinage aux États-Unis. Ça veut dire que le public n'a pas changé ses habitudes ; il a simplement changé la source de ses achats.

En même temps, ce projet de loi a pratiquement forcé les honnêtes vendeurs à essayer de vendre des cigarettes illégales et les encourage à devenir des criminels.

M. White : Je peux donner un petit discours sur un petit sujet. Le député a parlé des chômeurs, qui sont des fumeurs et des fumeuses. Mais ces chômeurs ont des

choix : ils peuvent fumer ou ils peuvent ne pas fumer. Quand ils sont mis à pied, ils n'ont pas le choix. J'espère que nous avons leur appui et que notre budget leur donne de l'espoir et du travail.

The Deputy Speaker: The member for Prescott-Russell, you have two minutes to reply.

M. Poirier : Donc, il n'y a plus de temps pour les autres, n'est-ce pas ? Bon. Je remercie ma collègue justement pour les suggestions, mais je lui rappelle qu'il y a une nette distinction entre la théorie de l'application de la loi, les grands principes et les faits.

Dans les faits, lorsqu'on taxe à ce niveau-là, je pense que les députés vont voir une corrélation tout à fait parfaite à un niveau astronomique de taxes avec un niveau astronomique de contrebande, ce qui va demander un niveau astronomique d'inspecteurs.

À ce moment-là ça va devenir un cercle vicieux : plus de taxes, plus de contrebande, plus d'inspecteurs répartis partout en province avec des nouvelles méthodes, pas seulement pour inspecter les dépanneurs légaux mais les autres sources illégales :

M. Grandmaître : Les frontières.

M. Poirier : — les frontières, les gens qui ont des commerces illégaux, qui font le commerce illégal de la cigarette juste à côté, à quelques coins de rues des dépanneurs légaux, dans les réserves, un peu partout, au nez et sous les yeux des inspecteurs qui font ce commerce-là, qui font une très bonne affaire ; et pour les travailleurs, qu'ils soient au chômage ou non, le choix demeure de faire un travail légal ou non. Si les gens vont faire de la contrebande, que ce soit pour la vente de cigarettes ou non, c'est un geste illégal. Je suis certain que les membres du gouvernement et moi en tant que député de l'opposition, jamais aucun d'entre nous va supporter quelqu'un qui fait un commerce illégal, qu'on parle de la vente de cigarettes ou d'autres choses.

Donc, ce qui m'inquiète : que le gouvernement me dise comment il va mettre en poste un nombre astronomique d'inspecteurs, parce que sa taxe est astronomique et la contrebande est astronomique, pour ceux qui font le commerce légal de la cigarette légale pour qu'ils puissent continuer à survivre.

The Deputy Speaker: To the members of Mississauga East and Durham Centre, I want to let your professors know that you are doing extremely well in the Molière language.

Mr Conway: Mr Speaker, I would like to join this debate for a few moments this afternoon and I certainly want to concur in your last observation. I think the members referred to set a very good example which the rest of us ought to try to emulate.

Tobacco taxes are on the agenda today, and I simply want to say that this is certainly not the first time tobacco taxes have been raised in this Legislature and it will not be the last. I participated in a cabinet where I believe tobacco taxes were raised at least once. I probably stand corrected, because they were probably raised on more occasions than that. They were certainly raised by the Conservative government as well.

At a personal level, this tax is immaterial. I do not smoke, and they can raise these taxes to the stratosphere as far as I am concerned. I like speaking to tax bills where I have no personal interest as a consumer. I say that quite sincerely. I am in a rage about this Hydro bill because of course that is a tax that one of my places of residence is going to pay and I am not very happy. I am going to take it right in the ear in a way I have very little choice about. But in this case, I do not pay tobacco taxes and I am fortunate enough not to have succumbed to this addiction, although it does not mean to suggest I am vice-free.

In good old Upper Canada we have had this interest in and support for vice taxes over the decades. We have taxed liquor, because of course it was bad. It was worse than bad. We still tax liquor and this budget, I think also as part of responsible revenue management, continues the age-old tradition of increasing levies, namely taxes, on alcoholic products by five cents a litre effective May 27, 1991. This tax of course will increase the levy on cigarettes and other tobacco products.

I want to raise a couple of points today, again simply as a local member, because I have been struck by the number of ordinary people who cite this as one of the ongoing irritations. People have talked to me about this over the last number of years, to be fair, but certainly in the last two or three years the rate of taxation on tobacco has really started to attract people's attention.

Let me say personally that I support absolutely the government's position with respect to trying to wean people away from this very bad habit for health reasons. I have watched many of my friends trying to cast off the demon weed, and it is not easy. I have seen some good friends succumb to lung cancer, which, it has been pointed out, is thought to be directly linked with cigarette smoking.

Having said that, I feel an obligation to convey to the assembly this afternoon a view expressed to me on quite a number of occasions over the last two to three years by people who say, "I know what you're trying to do and I give you kind of support that, but you're going to a point that may be just a little bit too far."

My own father is in that category. He would want me to say, in the presence of my illustrious colleague the member for Carleton, that he has not appreciated some of the more extreme views, in his mind, that have been advanced over the last few years, most notably by the member for Carleton. My father is now 74. He would not admit to this, but I think he has probably smoked for about 60 years and considers it one of life's little pleasures. He understands the health argument and I do not think he would fight it too vigorously in any kind of public place. But that for whatever reason, has not yet had sufficient compulsion to have him stop smoking. He, like a lot of people I represent, has started to complain rather regularly now about the rate of tax on tobacco particularly, although I have had some of my other friends point out that the tax on alcohol and related products is attracting people's attention to quite a considerable extent.

I just simply make the point that a lot of people I represent—I do not think I have ever met anybody who argues that we should not really tax these products—are

Increasingly concerned about the rate of taxation. In fact, some people have said what my friend the member for St Catharines has observed, "If you feel so strongly about this, why not go the full distance?" which I would support or recommend, but they would argue: "Why don't you just outlaw it? Get it off the shelves and make it illegal." I suspect our experience with Prohibition 60 years ago will make us all the wiser and cause us not to do that.

That is the first point, that there is a growing sense among smokers in my constituency that we are getting to a point of taxation that may almost be unreasonable if we are going to outlaw these particular products. Personally speaking, this tax does not affect me. I am glad to be talking about a tax that does not impact on me directly, though the revenues it will raise, as the member for Durham observed, will certainly be applied to the good works or any other government will seek to accomplish. I was in the presence of someone the other day who said to me, "Your reliance on the so-called vice taxes is quickly going to force you to start taxing virtue, because there is not much left to tax in vice." God forbid, should the Treasurer of this or any other government start to tax virtue, then all members of this Legislature will obviously be expected to carry a much greater burden of these revenue-raising matters.

As a member from eastern Ontario, I have been hearing some of the things to which the member for Prescott and Russell addressed himself a moment ago. I am surprised at the number of people I now meet in corner stores and other retail outlets who tell me people are not buying cigarettes where they bought them before. They do not perceive that there is a marked decline in cigarette availability or consumption, anecdotally, in their experience. They say to me, "Something's up," and I think something is up.

I think it is well known to the Ministry of Revenue officials, who I am sure could not and would not want to confirm this too publicly, that there is now a very significant incursion of American cigarettes coming across in many ways. I will have to confess to this: Because my father likes to smoke, I will on my return from the United States, which I do from time to time, often stop and pick up a couple of cartons of Marlboros for him. I am not alone. I see the cigarette displays around those border points and it is clear they are very popular.

My friend the member for Prescott and Russell made a point: There may be a whole raft of cigarettes entering the market in something of an underground fashion. We have a very real problem with the tobacco tax in this connection. It has reached such a level that we are now apparently creating an incentive for consumers and some retailers, I gather, to actively engage in some kind of underground market. It will be interesting to see, for example, whether or not the Treasurer will achieve the levels of revenue expected from this tax. In the fiscal year 1989-90 the tobacco tax yielded some \$770 million. In the fiscal year in which we now find ourselves, 1990-91, it is expected that those tobacco tax revenues will rise by \$105 million to \$875 million. As a result of this budgetary

change, which will affect this year in part and next year entirely, it is projected that those revenues will rise to slightly more than \$1 billion—\$1.04 billion.

It will be interesting to see how much of that target we reach, because as I say, there is growing evidence to suggest that our tax regime in Ontario is creating a very active underground market as well as more and more pressure for people to cross the border quite legitimately and use the exemptions that are provided under the federal regulations to bring certain of these products, which are very highly taxed in Canada, back into the country duty-free. We are going to have to look at that. It is no secret. It has been commented by a goodly number of people in this debate that when one looks at what is fuelling most of the cross-border shopping, three things are invariably cited: tobacco, alcohol and gasoline. Again, all my anecdotal evidence suggests that is true.

One of the things I might add that quite disturbs me is that in those not ever to be forgotten budget hearings I participated in this summer, in Kingston and Cornwall, on the southeastern Ontario frontier, there was a surprising amount of testimony that dairy products were also taking a lot of people across the border. People were buying milk and butter and those kinds of products. Again, that causes me some real concern because most of us are trying to defend supply management in this province and this country at a time when there is enormous pressure in the international trade debate to lower some of that protection for our domestic producers.

I simply want to say, as someone who does not smoke and who both supports and understands the government argument about trying to use tax policy to encourage people to stop smoking, that we may have reached a point where those arguments are not winning the day to the extent the theoreticians would like us to believe. We have some growing evidence to suggest that particularly with cigarettes and alcohol we have reached the law of diminishing returns. I cannot prove that; only events will prove that. I sincerely hope the haemorrhage across the border stops, but I have a feeling that will have something to do with the price structure of some of these commodities.

As we think about the taxation of these products, I want to say that the argument rings very hollow with me when people stand up and say they would never raise these taxes. We all have raised these taxes and we all probably will at some future point.

Mr White: Our innocence is so short.

Mr Conway: It has nothing to do with innocence. It has everything to do with reality. The member for Durham East was quite correct. We all like to go to the school opening, we all like to cut the ribbon and we all like to say three cheers to the good public or social works that make us feel good about being citizens of Ontario or Canada. Unfortunately we have to tax for those things. If you are fortunate, as we were for five years, growth in the economy provides some of that revenue by simply producing a level of activity that at the existing rates produces more revenue. We were fortunate in most of our years in having

that. This government has not had that pleasure. Some day it might.

The difficulty is that when a certain level of expenditure is reached, the government—any government—is then forced to pay for that level of expenditure, in the short term at least, irrespective of what the revenue line suggests. The revenue line is clearly in trouble. I understand that. I know why the government is beginning to retreat on Sunday shopping. I understand perfectly that people have said to the Treasurer, "Listen, if you don't do something around the holiday period particularly, those retail sales tax numbers are unachievable."

He has done what I think responsible finance ministers have to do. He has, with the support of his colleagues in council, directed the government to say: "Our policy, whatever it was on the regulation of retail store hours and whatever it was around a common pause day, is running headlong into the integrity of this budget. We want this budget to at least stand up to the scrutiny of not more than a \$9.7-billion deficit and to achieve that we need nearly \$8 billion worth of retail sales taxes." Anyone who knows anything about the retail trade will know which period of time, particularly in November and December, is the most active period for sales and therefore for the taxes that accrue to the consolidated revenue fund as a result.

But I repeat that these tobacco tax revenues are not inconsiderable. We rely to the tune of \$1 billion this year on this vice tax. Again, I have a bit of a conflict of interest. If the virtuous succeed and we strip this terrible vice from the land, there is a practical problem. Then the Treasurer is going to have to find \$1 billion worth of revenue. I can tell members, it is more likely it will be a replacement of revenue than that he will want to strip out \$1 billion worth of expenditures.

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As I say, when I look at the numbers, and we are talking about increasing that by almost 20% over a period of two years, \$770 million to \$1.04 billion, that is a very considerable increase in revenue. I repeat, everything I am hearing in the corner stores of Renfrew county and around eastern Ontario suggests to me that we are at a point where people are starting to actively engage in some civil disobedience, where people are simply not prepared to pay. They are engaged in some kind of underground market or to a much greater extent are going across the border and bringing their cigarettes and gasoline back.

I was talking to a friend who came back from a social engagement in New York state just this past weekend. He said it is really interesting when you sit in the line for two or three hours at Akwasasne and see what people do, and they are all doing the same thing.

I met yesterday with some of the people from Sault Ste Marie—and I am sure my friends opposite did as well—the community action team, a very impressive group of people with a very good cause. I could not believe what they were telling me. The city of Sault Ste Marie—I probably should have known this—is reporting that it is losing \$140 million annually to cross-border shopping. I think that was the figure. It is in the report they left with me. The member for Sault Ste Marie is here. He may want to cor-

rect me, but I committed the figure of \$140 million to memory because I thought that was a stunning amount of money for a city of some 85,000 or 95,000 people.

There is an argument. I think most of us in the House certainly some of us more radically and completely than others—I cannot help but look at my friend the member for Carleton in this connection, who in this matter is a new Puritan like no other I know. I say that most respectfully, I think there is a real issue here now that we are all going to have to look at. I hope the government, through the inspection branch of the Ministry of Revenue, is going to be monitoring the situation very carefully. I suspect this cabinet and subsequent cabinets will have to make some very tough decisions about this kind of underground activity, of whatever kind of activity it is. As I say, my evidence is just anecdotal, but it does suggest to me that we have reached a point of significant non-compliance and what the economists would call the law of diminishing returns.

Having said that, and having tried to recoup some of my father's vote, I will simply rest my case.

Mr Johnson: I listened with interest to the member for Renfrew North. He always impresses me with the amount of detail he can so eloquently project in the House. I am sure anyone who has the opportunity or takes the time to listen to him is also impressed.

The member says some of his evidence is anecdotal and I appreciate that, because sometimes people use anecdotal evidence as fact and we know that is not correct. Smuggling is not something new. Smuggling has gone on for a long time. He suggested the rate at which people smuggle cigarettes into the province is increasing, and certainly that is something that would concern all of us. The police and provincial authorities that exist look after this particular problem, and maybe it means the problem is going to be exacerbated by the tax, as he suggests.

I also want to speak to the law of diminishing returns which I think is something we have to be concerned about. There is a point in time when the tax will increase to such an extent that people will either stop buying cigarettes altogether or they will buy so few that the tax increase will not be of any benefit. But I would like to let the member know that at least at this time we have not reached that point, because tobacco revenues are on target at \$250 million for the full year as a result of the budget change that included this bill. I thought he might find that interesting. I would suggest we are not even close to reaching that point, as the law of diminishing returns would suggest.

Mr Wiseman: I have been listening intently for the last few days on the discourse about the revenue bills that have been before the House. I found rather interesting the other day, when we were listening to the revenue debate on the surcharge on income tax, the great angst from the third party over the increases on the income of a single person who made \$84,000 a year. From the calculations I have seen to determine how much that would be, it would be \$11.63. It is hardly enough to fill the gas tank of their BMW or to have their Rolex watches fixed, so I am not going to bend myself out of shape over \$11.63.

would like to point out a number of things that my honourable colleague the member for Renfrew North has pointed out, and why we need to have tax revenue. In 1982, for example, the contingent liabilities of Ontario were approximately \$11 billion. Today they are in excess of \$26 billion. That is a huge increase. Under the mismanagement of the previous Tory regime, from 1982 to 1985, those increases went up by \$4 billion, which is approximately 30% in a period of less than two and a half years.

I would also like to point out that under the management of the third party, which continues to say it is the best fiscal of managers in the country, from 1982 until 1985, the accumulated deficit went from approximately \$17 billion to \$25 billion. That is an increase of \$8 billion, which is almost a 50% increase.

I would like to conclude my remarks by pointing out that this information is available in the budget document.

Mr Hope: The honourable member for Renfrew North indicated one clear point that was really good, I thought: Sometimes we become victims ourselves when we go to a cross-border shop. I was very surprised to hear that he went over there to buy a couple of cartons of cigarettes, because as we take our revenues outside of our province to go where we lower the revenues coming into this province in order for us to administer programs, we hurt ourselves. As a government, we have to look for new sources of revenue to replenish that revenue that is leaving our province.

I thought the honourable member brought up quite clearly that we like to be there to open the new schools and we like to be there to open up the new facilities or social programs that we have developed. We, as individuals in our communities, love them. We enjoy the benefits we have here in this province, but when taxation hits, we take our revenues outside the province. We just do not want to pay any more for the nice social programs we have. I think I brought that out clearly, and I just wanted to bring out more clearly that we think we are saving ourselves by taking our revenues outside the province. What we are doing in reality is hurting ourselves, because there is no going to be some other place where we are going to go to find the revenue to replace the revenue that is leaving our province.

One of these areas is cigarettes. The honourable member brings up an important point, that if we keep taxing, eventually people are going to go out and purchase them somewhere else, thinking they are saving, or they start the underground. But in reality, we are going to turn around and maybe implement another tax because we have to provide the moneys for our hospitals, our schools, our programs, the moneys to keep our communities going, to build the roads, to build sidewalks, to keep the infrastructure of our towns and communities alive and to assist our citizens. As the general public, we have to take a very hard look that we are not hurting ourselves by doing anything else.

Mr Solá: I would like to congratulate the member for Renfrew North for pointing out the fact that honest citizens

are almost being forced into criminal activity by the additional taxes that we are imposing upon them. I am not blaming just the NDP government now, because all three parties that sit in this House have had their fingers in that pie and have added straws to the camel's back, but eventually we get to the straw that breaks the camel's back. This may be it.

When we read in the paper that the corner store, the one that is open 24 hours a day or from early dawn to midnight, carries contraband cigarettes, when it carries smuggled goods, then we have to start questioning whether we have reached a point where we have to reconsider what we call the sin taxes. When organized crime finds it more profitable to smuggle cigarettes than to smuggle drugs, we have to ask ourselves whether we have reached that point where the camel can no longer haul the load.

It is nice to point fingers at the federal government or at other parties. Every level of government in this country has done it and every party that has ever been in power has done it, but I think we have to start looking at how to solve the problem. All we have to do is look at the countries behind the former Iron Curtain where people were forced into smuggling by rationing. There was not enough to go around. If you wanted something legitimate, like food, if you could pay more for it under the table, you did. I think we are doing that with tobacco in this case.

Mr Conway: I just want to say a couple of things. First, I would not want my friends opposite to get the idea that I am spending a great deal of my time or money outside this country. In fact that is not the case. I would think I probably have on two or three occasions, at the absolute most, over the last 10 years brought back cigarettes. I am quite prepared, at the risk of being mildly self-congratulatory, to put my local spending up against anyone else in this chamber.

As well, I think we have to look at the underlying causes for some of this movement. It may be very painful to look and see who is going and why they are going. I heard some member, I think it was the member for St Catharines-Brock, describe what she or some of her colleagues heard. I well remember what the Kingston and District Chamber of Commerce said about who was doing what vis-à-vis cross-border shopping. I do not have that data with me, but I think it is at some variance with what I heard earlier this afternoon.

The point is that more and more people from all walks of life, all income levels are crossing the border to buy an increasingly wide range of services and products. I well remember stories from places like Sault Ste Marie and Thunder Bay, where people in the housing and hardware business were talking about people literally buying and bringing back houses in component parts, which I thought was extraordinary.

We are going to have to look at the underlying causes for this cross-border shopping phenomenon, and I think all of us have to recognize that tax regimes have not a little bit to do with that. For that we are all responsible, and I think we are all going to have to collectively recognize that we may have to start addressing that.

Mr Sterling: I had not intended to speak on this bill because I have mixed feelings about this bill, to be quite truthful. Mr Speaker, you and other members of this Legislature who were here before the last election will understand that, because on previous occasions I called for higher taxes on tobacco. I must say that over the last two years things have changed dramatically in our world in terms of our abilities, either as provincial or as federal governments, even to make policy in isolation from what is happening around us.

When we discussed Bill 83, the bill dealing with increased income taxes for our higher-wage earners, I had some sympathy with that concept. Who can argue with the people of Ontario, that those who earn more should pay more? But there is also the counterargument to that, which I quite frankly accepted on that bill: If you tax those who are earning more and those people are the leaders, the entrepreneurs, the people who are creating wealth in the province, if you tax them more and more so that you eventually chase them out of our jurisdiction, you no longer have the kind of economy which can support the social services which we have grown accustomed to.

In approaching this debate, I am caught between the conundrum of knowing that higher tobacco taxes, in my opinion, affect consumption. Particularly, according to some Michigan state studies done by universities there, it has a more profound effect on young people who smoke. In other words, young people with less disposable income are more likely to cut down or quit as a result of a higher tobacco tax.

On the other hand, we now have a situation which has developed, particularly over the last year or two, where we discovered that our taxation regimes are out of sync with those in adjacent jurisdictions, so much so that we are asking our people to break the law, in effect, because the difference has become so great.

I remember one of my law professors at university, Professor Hubbard, saying to us once a long, long time ago, when he was talking about legislators making law, that lawmakers cannot make laws which people do not want to follow. Therefore if we sit here in the Legislature and think for a moment that we can make laws, perhaps on Sunday shopping, which the people or the shopkeepers do not want to follow, if they think we make laws dealing with very high taxation rates where people can get around those laws by doing other things, like cross-border shopping or buying cigarettes which have been illegally smuggled into this country, then they will do that if the penalty is so great on them in terms of buying cigarettes under our system.

I listened to the arguments brought forward by the member for Chatham-Kent, that we should be willing as Ontario citizens—and I heard this in the standing committee on finance and economic affairs when we were talking about the budget—to acknowledge that we have these wonderful social services and therefore we should be quite willing and most anxious to go out and pay these taxes. Well, I can tell members this: The people of Ontario and the people I know in my own community do not believe that politicians spend their money wisely. They are not

willing to buy the argument that we are nearly prudent enough in the expenditure of the tax dollars, those money we collect—I am saying in the generic way, “we” being part of the government—that they will say to us, “Well, we will be good citizens and we will pay these taxes.”

I was amused when the standing committee on finance and economic affairs was in Cornwall that the Cornwall board of trade or chamber of commerce had commissioned a consultant to do a study—and I think, Mr Speaker, you were at that meeting—as to what cross-border shopping was taking place across the border in Cornwall. What amazed me was that they identified, quite innocently, the group that participated in cross-border shopping more than anybody else. I could not believe my ears that it was public servants, teachers, in this community who were the greatest cross-border shoppers of all the people in the Cornwall area, people who had been receiving money from the taxpayers of this province, from property taxes, who should above all others understand the importance of the social argument of having a good education system. Should they not be the very people who should be willing to step forward and pay the taxes? No, they were the greatest cross-border shoppers.

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The argument was brought forward by the member for Chatham-Kent that we should understand and expect the people of Ontario to understand that we have to pay for these social services, and that therefore we can somehow convince the Ontario public that it should pay higher tobacco taxes, higher sales tax, whatever other taxes are required of us. I am afraid that cannot even wash among the educators of this province, as was proven in the city of Cornwall.

There is some good argument for higher taxes on tobacco, as I mentioned before. But unfortunately at this time with the way the world is changing, we no longer can make taxation policy in isolation from what is happening around us in the world. Therefore, my caucus decided we would not support this bill and would ask the Treasurer to consider taking some of the tremendous revenues they have received from this—I know you pointed out in your speech earlier this week, Mr Speaker, that this government is doing absolutely nothing for the tobacco grower. They are not doing anything. They have taken \$1 billion.

If they took one cent from each package of cigarettes sold in this province in a year, they would have some where around \$10 million—not one cent a cigarette; one cent a package. If they put that into the Redux program to get our tobacco growers out of growing tobacco, they would at least be saying to the tobacco growers, “We understand you’re in a bad situation.” I know the member for Norfolk is not satisfied with this government’s help to tobacco growers whom he represents. I would hope that he can impress upon his colleagues that they take maybe one cent, maybe two cents from each package of cigarettes and give it back to the people who are suffering as a result of the decline in their ability to sell their product.

We have increased tobacco taxes, which I think has led to a lowering of the consumption of tobacco in this province, but we must take care of the people who have been

olved in the tobacco industry who are suffering as a result of that. That not only includes the tobacco farmers; it includes those who process it and the communities that have suffered as a result of that. We know, for instance, in the Brant-Haldimand area the decline in the ability of farmers to sell their product has decreased the value of land that has been used for growing tobacco, and therefore has skewed the whole market value system that has been in place there. This government should step in and do something to rectify that situation.

I only hope that the Treasurer will not, in his next budget, bring in taxes without a view to what is happening in adjacent jurisdictions, will not encourage citizens to break the laws of this country, and will keep our laws within reasonable limits so the average citizen will buy his products here and pay his fair share of tax.

Mr Conway: I am glad to have my friend the member for Carleton enter this debate, but there was a certain want of passion in his speech. I know the position of the Conservative Party, as is the position of the Liberal Party, is to approve this as part of the budgetary policy of the federal government. That is why certain positions have been taken and will be advanced in a moment. However, it was interesting to hear the member in a very calm and dispassionate way advance his opinions, which I know you, Mr. Speaker, have heard more often and more closely than perhaps the member for Scarborough and myself, because of those members who have not seen the member—

Mr Sterling: You haven't had to ride with him in a car with his cigar.

Mr Conway: The member for Carleton really found his region when he found this cause and I just thought he was strangely secular today on the subject that has come to define him in this place.

The Acting Speaker (Mr Villeneuve): Further questions and/or comments? Seeing none, the honourable member for Carleton has two minutes to reply.

Mr Sterling: I thought I was being passionate.

The Acting Speaker: Further debate on Bill 84? Seeing none, the parliamentary assistant to the Minister of Revenue, the honourable member for Prince Edward-Georgian-South Hastings.

Mr Johnson: In winding up the second reading debate on Bill 84, I would just like to touch briefly on some of the issues raised by members of the opposition. On the matter of the size of the tax rate increase on cigarettes, I would like to remind members of the official opposition that the Liberals raised tobacco taxes on four occasions during the life of their government. The tax rate on cigarettes went up during the Liberal years from 2.66 cents per cigarette to 4.83 cents per cigarette. On cut tobacco the federal government increased the tax rate from 1.5 cents per gram when it took office to 4.83 cents per gram by the time of the last Liberal budget.

To my friends in the third party, I point out that the federal government increased its taxes on tobacco earlier this year by \$6 per carton. Our increase in the spring On-

tario budget amounted to \$3.34 per carton. I would also like to add that from 1981 until 1985, while the Conservatives were the government of Ontario, they increased taxes on tobacco by over 100%.

On the issue of cigarette smuggling, there is no question that this is a serious question and that any increase in the rate of tax on cigarettes at either the federal or the provincial level increases the financial incentive to evade the tax. However, tobacco marking has certainly helped to limit the extent of tax evasion, and earlier in the debate the minister provided members with current statistics on the retail tobacco inspection program.

In addition to its own inspections and investigations, the ministry works closely with federal law enforcement agencies to investigate significant evasion schemes affecting both jurisdictions. So far this fiscal year, tobacco tax revenues are in line with initial projections. There will be \$250 million more in tax dollars raised in a full year as a result of amendments to Bill 84.

As the Treasurer indicated in the budget he brought down this spring, tobacco-induced diseases cause 13,000 premature deaths each year in this province. To the extent that tax increases contribute to a decline in consumption, I think the increase in tax on cigarettes could probably be justified on that ground alone.

There is one other very good reason for this tax increase, and that I think is clear to everyone: We need the revenue.

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The House divided on Ms Wark-Martyn's motion for second reading of Bill 84, which was agreed to on the following vote:

La motion de M^{me} Wark-Martyn pour la deuxième lecture du projet de loi 84, mise aux voix, est adoptée :

Ayes/Pour—55

Abel, Allen, Bisson, Boyd, Buchanan, Carter, Christopherson, Churley, Cooke, Cooper, Coppen, Dadamo, Drainville, Duignan, Farnan, Fletcher, Frankford, Haeck, Hampton, Harrington, Hayes, Hope, Huget, Johnson, Klopp, Laughren, Lessard, MacKinnon, Mackenzie, Malkowski, Mammoliti, Marchese, Martel, Martin, Mills, Morrow, O'Connor, Owens, Perruzza, Pilkey, Pouliot, Rizzo, Silipo, Ward, B., Ward, M., Waters, Wessinger, White, Wildman, Wilson, F., Wilson, G., Winninger, Wiseman, Wood, Ziemba.

Nays/Contre—28

Bradley, Brown, Carr, Conway, Daigeler, Eves, Fawcett, Grandmaître, Hansen, Harnick, Jackson, Jordan, McClelland, Miclash, Morin, O'Neil, H., O'Neill, Y., Phillips, G., Poirier, Poole, Runciman, Scott, Sola, Sullivan, Tilson, Turnbull, Wilson, J., Witmer.

Bill ordered for committee of the whole House.

Le projet de loi est déferé au comité plénier de la Chambre.

The House adjourned at 1802.

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Beer, Charles (York North/-Nord L)

Bisson, Gilles (Cochrane South/-Sud ND) PA to Minister of Northern Development and Mines, PA to minister responsible for francophone affairs, Vice-Chair, select committee on Ontario in Confederation/
Ap du ministre du Développement du Nord et des Mines, ap du ministre délégué aux Affaires francophones, vice-président du Comité spécial sur le rôle de l'Ontario au sein de la Confédération

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Buchanan, Hon/L'hon Elmer (Hastings-Peterborough ND)
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Caplan, Elinor (Oriole L) Chair, standing committee on social development/Présidente du Comité permanent des affaires sociales

Carr, Gary (Oakville South/-Sud PC)

Carter, Jenny (Peterborough ND) PA to Minister of Citizenship, responsible for human rights, disability issues, seniors' issues and race relations/Ap de la ministre des Affaires civiques, déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales

Charlton, Hon/L'hon Brian (Hamilton Mountain ND)
Minister of Financial Institutions/Ministre des Institutions financières

Chiarelli, Robert (Ottawa West/-Ouest L)

Christopherson, David (Hamilton Centre/-Centre ND)
PA to Treasurer of Ontario and Minister of Economics/
Ap du Trésorier de l'Ontario et du ministre de l'Économie

Churley, Hon/L'hon Marilyn (Riverdale ND) Minister of Consumer and Commercial Relations/Ministre de la Consommation et du Commerce

Cleary, John C. (Cornwall L)

Conway, Sean G. (Renfrew North/-Nord L)

Cooke, Hon/L'hon David (Windsor-Riverside ND) Minister of Municipal Affairs, government House leader/
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Président du Comité permanent de l'administration de la justice, whip adjoint du gouvernement

Coppen, Hon/L'hon Shirley (Niagara South/-Sud ND)
Minister without Portfolio, chief government whip/
Ministre sans portefeuille, whip en chef du gouvernement

Cordiano, Joseph (Lawrence L) Vice-Chair, standing committee on social development/Vice-Président du Comité permanent des affaires sociales

Cousens, W. Donald (Markham PC)

Cunningham, Dianne (London North/-Nord PC) Progressive Conservative chief whip/Whip en chef du Parti progressiste-conservateur

Curling, Alvin (Scarborough North/-Nord L) opposition deputy whip/whip adjoint de l'opposition

Dadamo, George (Windsor-Sandwich ND) PA to Minister of Transportation/Ap du ministre des Transports

Daigeler, Hans (Nepean L)

Drainville, Dennis (Victoria-Haliburton ND) PA to Minister of Municipal Affairs; Chair, select committee on Ontario in Confederation/Ap du ministre des Affaires municipales, président du Comité spécial sur le rôle de l'Ontario au sein de la Confédération

Duignan, Noel (Halton North/-Nord ND) Chair, standing committee on the Legislative Assembly; Co-Chair, special committee on the parliamentary precinct/Président du Comité permanent de l'Assemblée législative, coprésident du Comité extraordinaire de l'enceinte parlementaire

Elston, Murray J. (Bruce L) Leader of the Official Opposition/
Chef de l'opposition officielle

Eves, Ernie (Parry Sound PC) Progressive Conservative House leader/Chef parlementaire du Parti progressiste-conservateur

Farnan, Mike (Cambridge ND) First Deputy Chair of the Committee of the Whole House/Premier vice-président du Comité plénier de l'Assemblée législative

Fawcett, Joan M. (Northumberland L)

Ferguson, Hon/L'hon Will (Kitchener ND) Minister of Energy/Ministre de l'Énergie

Fletcher, Derek (Guelph ND) PA to Minister of Consumer and Commercial Relations/Ap du ministre de la Consommation et du Commerce

Frankford, Robert (Scarborough East/-Est ND)

Gigantes, Hon/L'hon Evelyn (Ottawa Centre/-Centre ND)
Minister of Housing/Ministre du Logement

Grandmaître, Bernard C. (Ottawa East/-Est L)

Grier, Hon/L'hon Ruth A. (Etobicoke-Lakeshore ND)

Minister of the Environment, minister responsible for the greater Toronto area/Ministre de l'Environnement, ministre responsable du Bureau de la région du grand Toronto

ck, Christel (St. Catharines-Brock ND)
apton, Hon/L'hon Howard (Rainy River ND) Attorney
 General/Procureur général
 sen, Ron (Lincoln ND) Chair, standing committee on
 finance and economic affairs/Président du Comité
 permanent des finances et des affaires économiques
 ick, Charles (Willowdale PC)
 ington, Margaret H. (Niagara Falls ND) PA to Minister of
 Housing/Ap du ministre du Logement
 is, Michael (Nipissing PC) leader of the Progressive
 Conservative Party/Chef du Parti progressiste-conservateur
lam, Hon/L'hon Karen (Perth ND) Minister of Culture
 and Communications/Ministre de la Culture et des
 Communications
 es, Pat (Essex-Kent ND) PA to Minister of Agriculture and
 Food (agriculture)/Ap du ministre de l'Agriculture et de
 l'Alimentation (agriculture)
 erson, D. James (Etobicoke-Humber L)
 e, Randy R. (Chatham-Kent ND) PA to Minister of
 Community and Social Services/Ap du ministre des
 Services sociaux et communautaires
 et, Bob (Sarnia ND) PA to Minister of Energy/
 Ap du ministre de l'Énergie
 son, Cameron (Burlington South/-Sud PC) Chair, standing
 committee on estimates/Président du Comité permanent
 des budgets des dépenses
 ison, Norm (Norfolk ND) PA to Minister of Industry,
 Trade and Technology, responsible for small business/
 Ap du ministre de l'Industrie, du Commerce et de la
 Technologie, délégué aux Affaires des petites entreprises
 nson, Paul R. (Prince Edward-Lennox-South Hastings/
 Prince-Edward-Lennox-Hastings-Sud ND)
 PA to Minister of Revenue/Ap du ministre du Revenu
 an, W. Leo (Lanark-Renfrew PC)
 pp, Paul (Huron ND) PA to Minister of Agriculture and
 Food (food)/Ap du ministre de l'Agriculture et de
 l'Alimentation (alimentation)
 mos, Peter (Welland-Thorold ND) Chair, standing
 committee on resources development/Président du Comité
 permanent du développement des ressources
 inter, Monte (Wilson Heights L)
kin, Hon/L'hon Frances (Beaches-Woodbine ND)
 Minister of Health, minister responsible for the provincial
 anti-drug strategy/Ministre de la Santé, ministre déléguée
 à la Stratégie antidrogue provinciale
ughren, Hon/L'hon Floyd (Nickel Belt ND) Deputy
 Premier, Treasurer of Ontario and Minister of
 Economics/Vice-premier ministre, Trésorier de l'Ontario
 et ministre de l'Économie
 sard, Wayne (Windsor-Walkerville ND) PA to Minister of
 Colleges and Universities/Ap du ministre des Collèges et
 Universités
ckenzie, Hon/L'hon Bob (Hamilton East/-Est ND)
 Minister of Labour/Ministre du Travail
 cKinnon, Ellen (Lambton ND) Vice-Chair, standing
 committee on regulations and private bills/
 Vice-Présidente du Comité permanent des règlements et
 projets de loi privés
 honey, Steven W. (Mississauga West/-Ouest L) chief
 opposition whip/Whip en chef de l'opposition

Malkowski, Gary (York East/-Est ND) PA to Minister of
 Citizenship, responsible for human rights, disability
 issues, seniors' issues and race relations/
 Ap de la ministre des Affaires civiques, déléguée aux
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 handicapées, aux Affaires des personnes âgées et aux
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Technologie et délégué au Commerce et à la Technologie
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autochtones
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Ontario

1st Session, 35th Parliament

Official Report
of Debates
(Hansard)

Thursday 24 October 1991

Assemblée législative
de l'Ontario

Première session, 35^e législature

Journal
des débats
(Hansard)

Le jeudi 24 octobre 1991



Speaker
Honourable David Warner

Mark
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Avec le nouveau système, la numérotation commencée en janvier 1991 s'arrêtera à la dernière séance de la Chambre et des comités de l'actuelle première session. Une nouvelle série commencera le jour de l'ouverture de la deuxième session et des sessions suivantes : numéro 1, page 1. Les rapports des comités seront également numérotés à partir de la première séance de chaque comité pour une session parlementaire donnée.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 24 October 1991

The House met at 1000.

Prayers.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

MANDATORY LEGISLATION REVIEW

Mr Carr moved resolution 30:

That, in the opinion of this House, all future legislation which would establish an agency, board, commission or regulatory system or create new direct expenditures or tax expenditures must contain a sunset provision which would, after a specific period of time, require mandatory review of the original legislation by a committee of this House. The committee would be mandated to report to this House on the impact of the legislation, the degree to which the program and policy objectives have been met and make recommendations on whether the program or agency should be continued, terminated or amended. Further, that all existing legislation which has established an agency, board, commission or regulatory system or created new direct expenditures or tax expenditures should, over the next five years, be reviewed by a committee of this House with the mandate indicated above.

The Deputy Speaker: Pursuant to standing order 4(c)(i), the honourable member has 10 minutes for his presentation.

Mr Carr: I want to say first off that I am pleased to be able to move this resolution and to speak to it this morning. I think it is a very important resolution. When you look at the objective of this particular resolution, what we are talking about really is efficiency in government.

I was interested to note that in a recent poll called NDP Watch: The First Six Months, 80% of the people said they believed there is a tremendous amount of waste and duplication in government. That was non-political; that was 80% of people who identified themselves as NDP supporters, Liberal supporters and Progressive Conservative supporters. This is something that I think crosses all party lines. I was interested to note in my riding, when a recent newsletter came back with the survey, people were saying the same thing. The perception out there is that there is a tremendous amount of waste. What this resolution would do is say to the people that we are reviewing it, we are taking a look at the programs.

I know in our household there is not a month that goes by where we do not take a look and say: "Can we cut some costs here? Should we be spending it here? Should we maybe reallocate some of the resources?" In fact, right across this province companies and businesses are doing the same thing. Workers are being asked to look at their particular area to see where they could be more efficient. Was something that was put in place a few years ago now become outdated? I think that government in this period of time should be doing what we as individuals with our

households and in our workplaces are doing almost every day. It has become more critical.

One of the big factors with this is that I honestly, truly believe that all the social programs that all of us care about in this province do not depend on the compassion of any particular government or any particular party. What they depend on is having money to be able to afford them. As was mentioned, I guess in the throne speech, the Premier said that what we have to do is to look at priorities, and priorities change. Something that might have been a valid program in 1985, for example, might now be outdated, it can be improved or it may be at a point where we can reallocate some of those resources. If we do not do that, I am afraid there is not enough money to be able to provide for all the programs that are out there, and I think what the people of this province are looking for is some guidance.

I was at the Constitution convention this weekend, and the member for St Catharines-Brock and the member for Middlesex, during one of the workshops, said what we need are some sort of sunset provisions in government to take a look at some of the expenditures. That was when we were talking about the Constitution, so hopefully we will have some support.

What I attempted to do was get something that was non-political. I tried not to get something that would be aggressive and slamming the government of the day or the previous government or any particular government. I tried to get something that would be practical and I tried to work with it as best we could.

I think the reason we need to have each ministry look at it, and I would like to have the elected officials do it, is that with agencies and boards, some people will say, "They're supposed to look at their own programs and decide what happens." Unfortunately, they look at it from their own perspective. A particular board may look at it and say, "I think this is the most important thing in this province," and if you are in fact dealing with that every day, day in and day out, it becomes the most important thing to you.

But I think, as elected officials, what we need to do is have elected officials look at the bigger, broader picture. The person administering the particular program that is being put in place may think it is the best and the most efficient program, but I think we need an objective view and it needs to be done by the politicians, who can be elected and ultimately are accountable to the electorate.

I think governments of all political stripes realize the old days of when we had programs and every year it was just inflation-plus are gone. There just are not the tax dollars to be able to afford it. We all know that unfortunately we are the highest-taxed province in all of Canada and in fact the highest-taxed jurisdiction in all of North America, so if we want to pay for any new programs, what we need to do is reallocate the money from some of the other programs.

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Some ideas were originally thought out and very worth while. I had the pleasure of going to a rent review hearing yesterday morning. When it was put in place, the simple idea was, "We'll have this board that will review it." I also had my eyes opened a great deal with that, because we literally spent all morning, from 10 o'clock when it convened until 11:45, just deciding whether they would proceed that day because one of the lawyers was not there. Basically half a day was wasted, and in fact they tell me it was the second time this has happened, so there has been a full day basically on debate about whether they were going to adjourn or not.

Obviously, something like that particular board or agency needs to be reviewed to see how we can streamline it, how we can be more efficient. I am a little bit used to delays, having sat on some of the committees in here, but I was interested in some of the tenants when I walked out. They were saying to me: "The system doesn't work. This is ridiculous. It's crazy." A well-thought-out idea that I think everybody thought was terrific when it came in needs to be looked at from the standpoint of reviewing it to see what can be done to make it work, because there were about 100 tenants and every one, to a man and a woman, said, "This system doesn't work."

What we are saying with this particular resolution is that we need to look at them with a very clear understanding to make improvements. In some cases it may be that we amend what is done; in other cases it may be that we terminate what was a good idea at the time, but there needs to be that review.

Anybody who has done any studying of modern management techniques knows that controlling is probably the most important key element in getting things done. That is regardless of whether you are a supervisor or you are a worker in your particular area and you are managing that area. Controlling the results, I guess probably second after staffing and getting the right people, is the most important thing. What we are saying with this is that we are going to control, we are going to measure, we are going to monitor the results to see where we can be more efficient and streamline them.

It was interesting to note that when we talk about how man made the journey to the moon—and everybody knew what the objective was, we wanted to get the spacecraft from here to the moon—they tell us that when they travelled to the moon, that rocket going to the moon was off course virtually 95% of the time. They knew the goal was to get to the moon, but they were off course, and what they kept doing was bringing it back on course continually so they could reach their objective.

I think we in government should set very clear, very worthwhile objectives for our programs, and then what we need to do is, along the way, keep correcting, keep refining, keep improving them so that at the end of the day people will say that we in fact did everything to the best of our ability to make the government as efficient and as effective as possible.

I say to the members opposite and my friends in the Liberal Party as well—

Mr Hope: Where are they?

Mr Carr: —those in their offices watching me, I am sure, with the television on this morning, that the public perception is that there is a tremendous amount of waste, a tremendous amount of duplication of services. This resolution, which was put forward in a spirit of non-partisanship is something that is very practical. I believe it is something that is needed. When we sit back and reflect on the future and see the young people who come in here to watch, it is their future we need to guard, because as members know if we do not begin to be more efficient and to improve, the legacy we are going to leave to the next generation is unfortunately going to be one of a tremendous amount of debt and overtaxation.

I think this will be a first start. Rather than taking a look at the taxes and saying, "We're just going to reduce taxes in that area," I think this will be a good start towards making government more efficient. I believe it is needed. I encourage all members in the Legislature to take a look at this resolution and offer their support to it. I hope they will. The future of this province is too important not to have this resolution passed today.

Mr Winninger: I believe the resolution put forward by the member for Oakville South is a very thoughtful one, as I might expect from one who has served so ably on the standing committee on administration of justice and who is one of the select few from his party to be elected in 1990 as support for his party slips gently away.

While a sunset provision calling for mandatory review of agencies, boards, commissions and regulatory systems may be appealing on the surface, I submit it is unnecessary and represents additional costs the taxpayer does not need to bear at this time. To borrow the metaphor used by the member, I believe his rocket is indeed off course in this matter.

We have a standing committee on government agencies that is working very well. It reviews the operations of agencies, boards and commissions of the government of Ontario. It has reviewed and reported recently on TVOntario, the Ontario Municipal Board, the Ontario Human Rights Commission, the Rent Review Hearings Board and many other tribunals too numerous to mention. Under standing order 104(g), reviews are made "with a view to reducing possible redundancy and overlapping, improving the accountability of agencies, rationalizing the functions of the agencies, identifying those agencies or parts of agencies which could be subject to sunset provisions, and revising the mandates and roles of agencies." It is difficult to find a more comprehensive mandate than that of this committee.

Pursuant to a provisional change in the standing orders adopted last December, the government agencies committee also reviews intended order-in-council appointments to agencies, boards and commissions to ensure appointments are made in accordance with merit or a legitimate governmental policy initiative rather than as a political favour, as has often been done in the past.

In addition, standing order 106 provides that the standing committees on justice, general government, resources development and social development are "authorized to

study and report on all matters relating to the mandate, management, organization or operation" of agencies, boards and commissions reporting to ministries and offices these committees are concerned with. Further, as the member well knows, a member of a subcommittee of these committees can designate a matter under standing order 23 "to be considered by the committee relating to the mandate, management, organization or operation" of an agency, board or commission.

It would be remiss of me not to mention the good work of the standing committee on public accounts, which reviews the public accounts and reports of the Provincial Auditor, to promote the economy, efficiency and effectiveness in public spending that I believe the member for Oakville South is honestly seeking here today. We also have the standing committee on the Ombudsman, which reviews complaints to the Ombudsman against agencies, boards and commissions, and the standing committee on estimates.

I urge the member for Oakville South, before he would establish yet another committee, to consider the mandate of the committees I referred to with a view to identifying possible duplication. This kind of review may in fact be more useful than the creation of a new committee. While there may be room for improvement, the existence of these committees certainly contributes to increased efficiency, public accountability and democracy.

I might add that internally we have the Management Board of Cabinet directives and guidelines, which contain criteria to evaluate the creation of new government bodies and procedures and review guidelines and implementation plan guidelines that ministers are expected to follow when undertaking sunset reviews. In many cases sunseting can certainly be handled by the respective minister, Management Board and cabinet.

I might add that a sunset review provision is required in all memorandums of agreement entered into between agencies, boards and commissions and the respective ministries. These sunset provisions provide the minister with an opportunity to assess ongoing programs in relation to new priorities and to determine whether funds could be spent in another area or not at all. It could be argued that it is generally better for ministers and their departments to decide, as part of a coherent approach to policymaking, if programs are to continue.

020

Less government is not always better government. Experience with sunseting has shown that the termination date for regulatory or operational agencies is not high compared to that of advisory bodies, which brings me to two other relevant issues when we are considering the kind of mandatory sunseting called for by the member. I speak of time and cost.

The resolution calls for mandatory review of all new agencies, boards and commissions within a fixed time period. This approach is fraught with difficulty. It is too inflexible. Different bodies may require different sunset periods for review. Who would decide which bodies are to be selected first for review while others go without scrutiny for a period of time? There is no clear way of knowing

where potential savings are greater or services are of greater significance.

This resolution also calls for review of existing bodies within the next five years. At last count, this government had 510 agencies, boards and commissions. Five years may not be enough time to review the enabling legislation.

Last, dealing with the question of cost, sometimes the cost of establishing and maintaining the kind of committee the member recommends can outweigh any cost-saving benefit from reducing the mandate of or closing down a committee. Resources may be difficult to justify in this period of restraint. I note that the Macaulay report of 1988, which reviewed Ontario's agencies, boards and commissions, concluded that sunseting was not meeting its desired goal of self-justification. It went on to observe that since 1980, when sunseting began, out of 580 agencies only five were actually terminated and 10 merged with other agencies while 77 new agencies were created, of which 15 could be classed as regulatory.

John Chenier, an employee with the federal Secretary of State and professor in the school of public administration at Carleton, has identified in an article many drawbacks of sunseting. To name but a few, the fixed renewal date frequently becomes an excuse to delay desirable changes, beneficiaries of the program about to expire will only remind the minister of the good works of the program when the sunset date arrives, and a fixed renewal date often raises expectations that the program will be enhanced and problems solved with more effort and money.

Another study published last year noted that 12 US states have abandoned sunset review due to high monetary and temporal costs, unfulfilled expectations of agency termination, low levels of citizen participation and other problems.

Finally, I think I have identified many of the weaknesses in the member's resolution and provided the underpinnings, the basis, for my position in this matter, which is opposed to his.

However, the implementation of new measures announced last fall guaranteeing greater fairness in the appointments process will continue. We hope to secure more trust and respect from the people of Ontario for our government through an open system of applications for government agencies, boards and commissions, accessible to people with diverse backgrounds and experience.

Mrs Caplan: I am pleased to rise this morning during private members' hour in support of the resolution of the member for Oakville South. I think it is important that it be read out. I have been listening to speakers who oppose it. I look at it as an amendment and a resolution of the House that everyone should be able to support, because it really calls on the individual private member, in his role as a member of the committee, to be able to do his job better and to play a meaningful role in a process that already occurs within government.

I am very much aware that sunset review, program review, was an ongoing mandate of the Management Board of Cabinet during the five years I was on the government benches. During that time, as any new agency was established, there was an automatic five-year mandate

review conducted by the Management Board. It seems to me that the new government, which has spoken about enhancing the role of all members of this Legislature, and members of the government benches would be supportive of a resolution that would do just that. It would take that five-year mandated review, which occurs right now within government, and allow a standing committee of the Legislature to be part of that process.

I do not think it is anything that anyone could philosophically oppose. It is certainly a part of the process today because we know the agencies, boards and commissions are reviewed by a standing committee of the Legislature. We know there is a standing committee on the Ombudsman which also has the powers to review programs of the government in depth, even though it has met only a very few times.

Let's take a minute and read again the resolution of the member for Oakville South. It says:

"That, in the opinion of this House, all future legislation which would establish an agency, board, commission or regulatory system or create new direct expenditures or tax expenditures must contain a sunset provision which would, after a specific period of time"—it could be five years, it could be longer—"require a mandatory review of the original legislation by a committee of this House. The committee would be mandated to report to this House on the impact of the legislation, the degree to which the program and policy objectives have been met and make recommendations on whether the program or agency should be continued, terminated or amended. Further, that all existing legislation which has established an agency, board, commission or regulatory system or created new direct expenditures or tax expenditures should, over the next five years, be reviewed by a committee of this House with the mandate indicated above."

As we look through this resolution, what we find is that it is really a way to involve, inform and fully educate not only members of this House but the public. We know that standing committees of the Legislature, which today review most pieces of legislation and have full and open public hearings, are a vehicle for informing the public in an open public forum about what the work of the Legislature is, what the role of the individual member is and how we conduct our business. The public is very cynical today. They are very cynical about all politicians. They do not like any of us very much. Anything we can do that will inform the public about who we are and what we do is a positive way of reducing the level of cynicism through public education, of reducing the level of cynicism by opening the doors even wider rather than excluding anything the government does from review.

For me, as a private member of the Legislature, one of the most exciting opportunities I have had over the last six years as a provincial legislator has been the opportunity to ask questions not just in the theatre of question period but as a member of committee, to meet with people who are very knowledgeable in their field of expertise, both inside and outside government, and then to take the information I have gathered and share that.

1030

I want to share one experience, particularly with some of the new members of the government caucus, because I think it will help them to understand why I support this kind of resolution. I was a member of the standing committee on finance and economic affairs and we were studying what was then to be the free trade agreement. The more we looked at it, the more concerned we were about the impact it would have on Ontario's workers and jobs. In fact I think we were quite prophetic in our view of what was going to result.

As a member of the committee that studied intently the proposal by the federal government, we also had the opportunity to meet with the office of the negotiators. We met with the European Community. We met with the people who were knowledgeable in the field of macroeconomics, and I remember coming home from one of these meetings and saying to my children, "I now understand macroeconomics." My son, who was in business school at university, said, "You understand it all in just two days? There are people who study for years."

I said: "It is a different kind of understanding that we, legislators, we members of this process here in the assembly at Queen's Park, must have. We don't need to have the technical expertise of the master's degrees and the PhDs. We have to understand it so that we can bring common sense, take a look at what is proposed and what we think is going to happen. We represent the people in our constituencies. We need to be able to go back to them and not give them a professional, professorial response. We need to be able to explain in common, everyday language, what is going on, how this is going to affect you and why we either support it or we don't."

When I look at a resolution such as the one proposed by the member for Oakville South, I think it would be an opportunity for members of this Legislature to become even better informed about how precious tax dollars are being spent. I think it would allow members of the Legislature to review in depth and make recommendations to the government about whether a proposed agency, board or commission, whether a proposed expenditure which had been fully reviewed at a legislative committee and passed into law, had achieved its goals. By allowing members to be a part of that review, I think the public of Ontario would be better served.

The members are already today involved in those reviews to a minor degree. As I mentioned, the standing committee on government agencies today is empowered by the standing order of the committee "to review and report to the House its observations, opinions and recommendations on the operation of all agencies, boards and commissions to which the Lieutenant Governor in Council makes some or all of the appointments, and all corporations to which the crown in right of Ontario is a majority shareholder, such reviews to be made with a view to reducing possible redundancy and overlapping, improving the accountability of agencies, rationalizing the functions of the agencies, identifying those agencies or parts of agencies which could be subject to sunset provisions, and revising the mandates and roles of agencies."

That exists today, so this proposal by the member for Oakville South just enhances a role which already is available to members of the Legislature. It takes it one step further.

It seems to me it is something which would be difficult for members, particularly members who are new to the Legislature, who when they talked about wanting to come to this place were not sure whether they were going to be on opposition benches or government benches, as we were not sure. When we stand for public office in this province, under the British parliamentary system, we never know which side of the House we are going to sit on. We run as members in our ridings to represent our people and their views. We tell them what our policies are, what our party's policies are, and then after the election is over, it is the electorate who determines where we sit.

To be perfectly honest, in 1985 I had as one of my goals, as I said before in this House, to sit in opposition. I consider my five years in government as indeed a privilege and an honour to have served the people of my riding in the cabinet and in the government of Ontario. But I am privileged and honoured, as a member of this Legislature, to serve today as a member of the official opposition and I have pledged to the people of my riding that in my capacity as a provincial member of Parliament, I will be as well informed as I can be, I will be as responsible as I can be and I will be as effective as I can be.

I have a role as an opposition critic of the new treasury board, which has exactly the same kind of mandate of review, of looking at programs, as we talked about a few minutes earlier, as the Management Board of Cabinet formerly had. It has undertaken a massive program review. I believe, as a member of the opposition, that it should not just be the critic who has that opportunity to review what the government is doing. It should not just be one individual critic who has the opportunity to be part of the sunset review provisions.

I think it is important that members of the standing committees of the Legislature be fully informed and have the opportunity to fully scrutinize, to hold the government accountable. That is a very important function. I cannot stress that too highly. As well as holding the government accountable, frequently members of those committees come up with very good ideas.

One of the things I have said to my constituents in the riding of Oriole is that I feel it is my role to oppose and to criticize. That is my role as a member of the official opposition. That is our role and function in our democracy. The official opposition has a mandate to criticize the government, to keep it on its toes, to fight with words and to hold it accountable by a kind of responsible criticism, to oppose when it has made a mistake or erred or when its proposals may not yet be perfect and in the public interest.

I also believe, and I believe this with all my heart, that as a member of the official opposition I must have the opportunity to propose. To be blunt, the best way, the best forum and the best vehicle to be able to propose new ideas, good ideas, is at committee. I have been a Chairman of committee, as I am now. I have been a member of commit-

tee, looking at rent review, pay equity, the free trade agreement, and good ideas came from the opposition members.

As I speak in support of the resolution of the member for Oakville South, I think it would increase the opportunity for all members of this Legislature on the government side and in opposition to bring their good ideas forward as we review expenditures, as we take a look at agencies, boards and commissions, make recommendations on sunsetting those that have not achieved their goals and objectives, be critical about those that have not been fiscally responsible, and at the same time serve the people of this province well by doing the job we were sent here to do.

1040

Mr Villeneuve: I am here to strongly support my friend and colleague the member for Oakville South in his private member's notice of motion. As my colleague the member for Oriole repeated, the resolution is simply that agencies, boards, commissions and regulatory systems, once in place, have a sunset provision which would not put them out of business but which would simply ask: Are they doing the job they are mandated for? Are they too expensive? What direction should they be going in if they are not going in the right direction?

With this member's background as a professional hockey player—and as I was going from the baseball game last night to the Nordiques and my Montreal Canadiens—maybe the Nordiques should have brought him up and kept him. But I am glad they did not because we now have a new, fresh outlook in this Legislature with my colleague the member for Oakville South. He could have probably helped the Nordiques last night. However, he is here helping the people of Ontario.

As an athlete, and I understand his background, he had to make the team every year. You are only as good as your last game. So this goes right in line with his thinking. It is somewhat different from, say, a lot of the thinking of union members who somehow or other would prefer not to bring any more stuff into the open than need be. That is a known quantity. I congratulate my colleague the member for Oakville South for his openness and his refreshing outlook on politics, "Let's have a look at it; let's open it up." I have no problem with that.

I do have a little problem with some statements that were made by the member for London South, however, when in his participation here, he had the audacity to say how well the committee system is working. I happen to have substituted on a committee, the standing committee on general government. It was mandated, after sections 1, 2, and 3 were put in by my party, that we have one opportunity during a session to look at changes in regulations.

With the stroke of a pen, the Minister of Consumer and Commercial Relations shut down 14 registry offices, three of them in my riding, two of which had been there since 1795. The amazing thing is that this was all done and he continues to systematically close these registry offices in spite of the fact that a committee of this Legislature had hearings. Not one person who came to the hearings was in favour of closing these registry office, yet the minister continues to systematically do it.

The idiosyncrasy here is that a solicitor acting on behalf of the ministry made these statements, and they are worth repeating because it is an absolute insult to the committee system of this Legislature and to the members who participate. When the member for London South says that the committee system is working well, he needs to listen closely. I will read some remarks that were uttered by a solicitor on behalf of the Ministry of Consumer and Commercial Relations:

"The solicitor for the ministry said it would serve no purpose for the Minister of Consumer and Commercial Relations to await any input from the standing committee on general government, which is looking into the closure of land registry offices under standing order 123."

The solicitor gave three main reasons. "The general government committee is of no significance." That is the first statement.

Mr Winninger: That is one opinion.

Mr Villeneuve: Acting on behalf of the minister. The member is a solicitor and he knows what the solicitor-client relationship is. They are acting on behalf of the Minister of Consumer and Commercial Relations.

"The general government committee is really just a way of creating political heat." That is statement number two.

Statement number three: "The general government committee is composed of six members of the NDP and five from the other two parties and all the NDP members could be absolutely counted on to stick to the government's position of closure of the land registry offices."

It is an insult to the members of committees, it is an insult to anyone who sits in this Legislature, and they will tell us it is working. Mr Speaker, I cannot accept that. I will strongly support my colleague the member for Oakville South.

Mr Fletcher: It is a pleasure to rise and speak on this resolution presented by the member for Oakville South. I can sympathize with what the member is saying about trying to get control over government. In fact, I think that through the years, whenever new governments come in, one of their first priorities is to try to get control. But then the governments of the past have already implemented a system, and we are using the same system, where reviews are done periodically throughout the ministries and then Management Board has the job of reviewing them.

As far as sunset legislation is concerned, it has been used in the United States, as my colleague the member for London South has already said. Some of the problems they had with this sunset legislation were that—let me just read: "There was a failure to reduce the size of government; high monetary costs; lack of meaningful citizen participation; disappropriation; influence of agencies and their lobbyists; a lack of adequate evaluation criteria." The only recommendation that came from any committee was that they "should lengthen the review cycle to permit more thorough reviews of fewer agencies each year." In other words, going from a five-year review, as this system evolves, we will be looking perhaps at an eight-year review, a 13-year review. How many governments will pass

through this Legislature in that time? How many governments will be controlled because they cannot go against this sunset committee?

An hon member: They will all be NDP governments.

Mr Fletcher: We hope they are NDP governments, as my colleague says.

Having a five-year review and then watching it go to a 13-year review would only start an evolution in the system getting back to where we are now. As my colleague the member for London South has already said, we have standing committees that are already doing the job. These standing committees were not put in place by this government; they were put in place by previous governments. They seemed to work for those previous governments and they work for this government.

Also, each ministry does a review. In fact, when we did a review of the land registry offices and came up with a conclusion that would be more expedient and cheaper, the opposition jumped on us and said: "No, that's wrong. You can't do this." Now they are standing there saying, "We need a review." Each government, when it comes into power, will do a review of its plans and policies and will implement programs that go along with its ideology, its way of looking at things.

To my friend the member for Oakville South, I can understand the frustration, but instead of just starting to implement a program that suits today, we have to look at the long-term effects. From what we have seen in the United States so far, the long-term effects are a lengthening of the process.

Mr J. Wilson: I am very pleased to rise today to express my support and that of my other caucus colleagues for the resolution put forward by the member for Oakville South. As my colleague from Sand, Dust, Gravel and East Grenville said just a few minutes ago, this resolution is a fresh, new way to do business around here.

One thing that struck me—and it is a new point to the debate this morning—upon my arrival at Queen's Park many years ago when I was an assistant here was how media-driven and interest-group-driven governments' agendas tend to be. But this resolution would give the government—and I cannot understand for the life of me why the NDP would not support this resolution—a fresh opportunity to be proactive, to take the bull by the horns around here, as it were, and to review, on an ongoing basis, agencies, boards and commissions and the programs they deliver.

The good part of the resolution that says the review must be conducted by a standing committee of this Legislature—and there are two points there—is that, first, we will be sure the review takes place and, second, we can have elected people ensuring that the taxpayers of this province are actually getting value for their tax dollar, which certainly was a demand made on us as we went to the doors during the last election campaign.

We are overtaxed. We are the most highly taxed jurisdiction in North America. We have many boards and commissions and I am sure most members of the government could not tell me what their purposes are. We have a

Commission called the Soldiers' Aid Commission which was established in 1960. It is still operating, but no one seems to be able to tell what it does. It has never had a review of its mandate.

As the member for Oriole pointed out, since 1986 the Management Board has been doing internal reviews of programs—Management Board with the exception of the chairman and the cabinet members who sit on it; the reviews though are done primarily by bureaucrats. It is an internal review. My experience with bureaucrats over the last eight years is that their first inclination is to protect their own turf. Their own inclination is to send the minister a briefing note about how important their program is, whether that program is delivering value for money or not. Their first inclination is to ensure that the status quo is maintained.

I have talked to some cabinet ministers in the NDP government privately. They say, "We can't do that because the bureaucrats sent me a note saying we're going to have to hire X new civil servants" or, "It's going to require new money for anything we try to do." I remember very well talking to the Minister of Tourism and Recreation. He said, "I can't do this, that and the other thing because I'm told it will require new civil servants." Those are the standard briefing notes they get from bureaucrats. They have to cut through that.

050

By reviewing programs and referring them to a standing committee of this Legislature, which does not include bureaucrats—there are no bureaucrats on the standing committee; it is politicians from all three parties sitting around—presumably on something like this they could work in a co-operative atmosphere and could actually find out whether taxpayers are getting value for the billions of dollars, some \$52.3 billion, that they give to this government each year.

I also want to mention that we do not have to set up a new standing committee of the Legislature, as the member for London South said. He said it might cost more money to do this than it is worth. I sit on the standing committee on regulations and private bills. We do not do anything. We meet once a month to rubber-stamp five or six bills. Frankly, and I will say it publicly, it is very often a waste of time and taxpayers' money.

The only good thing about that committee is that the legislative counsel, again a bureaucrat, has a mandate to review some of the regulations of government from time to time, but he can only review regulations to see if they are constitutional. He has no authority whatsoever, because he is not elected by the people, to inform the committee whether there is value for money in the regulations or the bills he is reviewing. He will simply tell the committee whether it is constitutional or not.

In questioning the other day I said, "What if you found something that the government was trying to do to be unconstitutional?" He said: "I have no teeth to do anything about that either. I would send a memo to the appropriate minister, hope the minister reads it and hope the minister will amend the legislation or regulations to conform with Canada's Constitution."

A standing committee such as regulations and private bills could easily undertake this task of reviewing regulations to see if taxpayers are getting value for money and certainly reviewing legislation and the mandate of programs delivered by boards and commissions around here. It is an excellent idea.

In 1988, the member for Nipissing, the leader of my party, the Ontario PC party, brought forward this exact resolution. Unfortunately the Liberals—the word "hypocrisy" comes to mind because the member for Oriole today—

The Deputy Speaker: Order. I will not accept that. Please rephrase your sentence.

Mr J. Wilson: I withdraw the term. I thought if you called her the H-word, that would certainly be directed at her, but certainly the terminology—

The Deputy Speaker: Order, please. I ask you to apologize.

Mr J. Wilson: That was then, this is now. We see that with the NDP in opposition and in government; we see that with the member for Oriole in the Liberal Party, who in 1988 would not support this resolution. It made perfect sense then and now we see the government also not supporting this resolution. It does not make any sense for the NDP this time around not to support this resolution. This resolution is long overdue. I credit the member for Oakville South for bringing it forward. It shows real courage. The only reason I can think of why this government will not support it is that it is afraid if it gets into sunset provisions, the public of Ontario will actually sunset the government right out of office.

Mr Martin: I am happy to rise this morning to speak to this resolution. I would like to make perhaps three points about what has been presented to us here today. One of them is that when we look at all the things this government has to do today regarding the recession we are dealing with and all the pain that has been felt out there by the people of Ontario, this is not a piece of business we have time for. Perhaps at another time when the economy is better and we do not have so many pressing things to deal with we might want to look at this again, because it certainly has some things in it that have some value and that we should perhaps look at.

The other thing I would like to say is that in my estimation of how government runs, we do not at this time need another level of bureaucracy. Who pays for it? Who is going to spend time on it? How do we involve some of the members of the public when we need all the energy we all have here focused on more important things, such as the legislation this government is trying to put through this House and is being obstructed in doing by the opposition so many of the days that we sit here.

I would also like to say to the member for Oriole, who spoke earlier, that I agree we have an opportunity here for input on various pieces of legislation. When she was in government, she said that she listened to the opposition as it presented points of view. I want her to know that there is not a piece of legislation that we as a government have put through in our tenure so far that does not reflect a very

serious attempt to listen to both the opposition and the public out there so that legislation we bring down actually reflects those in our communities. I suggest when it comes to the regulation of boards and commissions that we are listening as intently at that level as well.

So in fact at this time this particular provision is not necessary. It would be a waste of resources and a waste of people's time and energy. Perhaps another time, but not now.

Mr Turnbull: I am delighted to speak on the issue today that my colleague the member for Oakville South brought forward. I think it is essential to get some responsibility back into governments, and I am surprised the government does not embrace this as it looks at ways of saving money, which undoubtedly it is going to have to do. This gives them a tool to do it, one which we would support them in. It is reasonable that people cut out the bureaucracy. It is quite obvious that bureaucrats have a vested interest in making sure that programs are ongoing.

If we have sunset clauses in all the new legislation and indeed over the next five years bring in existing programs for sunset reviews, we will have an opportunity to determine whether the programs are working or not. I also suggest that we should consider zero-based budgeting as a viable tool. If we do this, we will finally be able to wrestle this massive government to the ground and start getting value for taxpayers' dollars.

The suggestion made by the previous speaker was that the opposition was stopping the government getting its legislation through the House, but if he reads parliamentary journals, he will find that is the job of opposition. Only 23% of the people who were eligible to vote in the last election voted for them. They do not have a sweeping mandate to do whatever they want.

Constructive opposition is what we are offering, and this, more than any other measure, is constructive opposition. It gives the government a tool to be able to address the massive, clogged bureaucracy that we have. Indeed, we should put this into one of the committees that exist so that we do not create extra committees. We have to make our committees work more effectively.

Having sat through two days of estimates on the ministry which I critique, I would say it is just an opportunity for the bureaucrats to strut their stuff and baffle us with bafflegab. Anybody who has watched Yes, Minister will know that is exactly what goes on.

I suggest that if we are going to make committees more useful, we should have equal representation on the committees and, believe me, the NDP will get the benefit of it when it is chucked out on its ear, as it is undoubtedly going to be after the next election. The taxpayers are fed up with what it is doing with this province. They are destroying business and they are destroying jobs, and if we started to be more constructive with the way we operate government, we would then start to see the province moving again. Sunset clauses and zero-based budgeting would be the most appropriate start. It would help the government and it would help the taxpayers.

1100

Mr Carr: I want to thank everyone who participated this morning for their valued comments. I want to just touch on the remarks of some of the people who spoke against the resolution.

The member for Sault Ste Marie said that now is not the time. I say to him that because of the crisis we are in, now is the time to do it. When things are going well and there is enough money, there is not the need to review what has already been done. It is now, when the times are pressing, that it is so serious. I think he is a little mixed up. The government cannot get through the legislation he is talking about, not because of the opposition but because there is no money to pay for it. They could not put all the best-thought-out programs in legislation that they might want to, even if there were no opposition here, because we are flat broke. There is no money. We are almost out of business in this province. That is the reason it cannot go through.

To my friend the member for London South, who said the system is working, I say the system is not working, not in my estimation nor in theirs. In the recent poll, the NDP Watch, 80% of the people who say they are NDP supporters say that with governments at all levels and of all political stripes, whether it be municipal, provincial or federal, there is a lot of waste and duplication in the programs that are there. I say to him that it is not what I believe and it is not what he may believe; the public, 80% of them, say that with all political stripes, the system is not working as effectively as it can.

To my friend the member for Guelph, who said it is based on ideology, I say it has nothing to do with political stripes. I listened to Mr Harcourt after the election, the following morning. Four times—I counted them—he talked about a balanced budget. Four times he said, "If we have no money, we can't do it." So it does not matter if you are an NDP member, a Liberal or a Conservative, the fact of the matter is that the public needs to look at it. I say very clearly that the reason it is not working is that there is no money. Members have to look to the chief Treasurer of this province who has talked about selling assets off because the system does not work. There is no money left.

I encourage members to support this resolution. It is needed and the province needs it today.

MOTORCYCLES

Mr Cooper moved resolution 29:

That, in the opinion of this House, given that motorcycles use less of everything, the government of Ontario should promote the use of motorcycles.

Mr Cooper: The purpose of this resolution is to initiate a broad-based discussion on a much-maligned form of transportation, the motorcycle.

I believe, along with our government, that public transportation is the best solution to our transportation problems, but in reality most people, because of their busy schedules and their refusal to give up their personal automobile, have chosen not to embrace public transit. As a rule, the people of Ontario still use their own cars as their main source of transportation. Car pooling does not seem

have caught on and I believe it is because of the loss of independence, somewhat the same reason people do not rely on public transit. In most cases, if members look around they will find most cars on the roads and highways contain only one person, and that is the driver. This is the reason I believe the government of Ontario should promote the use of motorcycles as an alternative to the car.

Environmentally there is at present nothing superior to the motorcycle, except maybe the bicycle. Motorcycles take up less space on highways and roads and need very limited space for parking. At a time, especially around Toronto but also in many larger communities across Ontario, where one feels the entire province is being paved over, the increased use of the motorcycle will slow down the need for more highways and parking lots and save our precious agricultural land.

The growing number and size of tire dumps across the province is causing the government problems. While not a solution, obviously, replacing two tires instead of the four which have to be replaced on the automobile gives the motorcycle the advantage as a better choice of transportation. Motorcycles are for the most part more fuel-efficient than cars. We therefore have less pollution and preserve our limited fossil fuels.

I believe that if the government of Ontario actively promoted the use of motorcycles as an alternative to the car, it would eliminate the "bad boy" of transportation perception people in general have. Motorcycles are slowly becoming more popular, as can be seen by the growing number of people using them. Motorcycle enthusiasts include all ages and groups, from students right up to senior citizens.

Much more needs to be done and a good start would be to follow the lead taken by the Ministry of Tourism and Recreation. In a news release in Markham on October 18, 1991, the ministry states:

"The Ontario government and the snowmobile industry have joined forces to help launch a major awareness campaign to reduce the number of serious snowmobile accidents in the province.

"The Snowmobile Safety Committee is conducting an ongoing public education campaign about trail safety. The new committee is supported by the Ontario government, Arctic Cat, Bombardier Ski-Doo, Polaris, Yamaha, the Ontario Federation of Snowmobile Clubs, the Ontario Cottagers Association, the Royal Life Saving Society and the Canadian Sport, Head and Spine Injury Research Centre.

"'People are dying and suffering serious injuries from accidents that could have been prevented,' Dan Waters, parliamentary assistant to Ontario Minister of Tourism and Recreation Peter North, said today at a news conference in Markham. 'It's time to reverse that trend.'"

This same approach can be taken to promote the use of motorcycles. The government of Ontario, along with the major motorcycle dealerships, should join together in a promotional partnership to this end. The Bikers Rights Organization of Ontario would be the ideal group to spearhead this initiative because it is the main group chosen to be the lobby to the Ontario government. Its constitution states:

"The Bikers Rights Organization of Ontario is a non-profit organization composed of motorcycle enthusiasts, standing together in a common interest to make government and law enforcement agencies aware of the necessity for reasonable and fair motorcycle legislation along with safety education and public awareness programs.

"Their aims and objectives are:

"to foster and develop improved community understanding and awareness of motorcycles and operators, by actively supporting charities by providing services and/or moneys, and by instigating motorcycle safety through public awareness programs.

"to foster and promote motorcycle safety and responsible riding practices in the motorcycling community.

"to promote and develop friendship and understanding among all motorcyclists.

"to promote legislation affecting motorcycles generally and to oppose and support as the case may be any contemplated legislation by provincial, municipal, or other authorities in so far as same may affect the motorcycling community.

"to endeavour to achieve a closer relationship and better understanding between motorcycle owners/operators and law enforcement officers with a goal to identifying and solving problems of mutual concern."

There are several areas of concern to the motorcycle enthusiast. The first and possibly most important issue is that of insurance. This can best be explained in a letter submitted to the Ontario Automobile Insurance Board in 1989:

"Dear Mr Kruger:

"I am writing this letter in response to the upcoming hearings on establishing motorcycle insurance rates. As a citizen I have often felt that we could not change what bureaucrats were about to do, nor was I convinced that writing a letter could help. After realizing the errors in my thinking, I've decided to at least say my piece.

"I've been riding for more than 20 years now and belong to a club that is very aware of safety and impresses on its members the need to be safe motorcyclists. It always astounds me when my insurance premiums come in to find that complete coverage on my bike is higher than my brand-new car. I've never had a claim on my bike. I have on the car. I've never had a ticket on the bike, not quite as good a record on my car. Recently I bought a slightly larger bike (500 cc up to a 800 cc) and my insurance company said that they don't insure bikes over 750 cc. They have made an exception but to be sure I had to give them my automobile coverage first. I'm very concerned that insurance agencies can do this but am afraid to rock the boat or I'll be without insurance.

"What is going to happen when insurance companies decide that motorcycles are too small a portion of their business and we are unable to get coverage? Will one or two companies be allowed to charge outrageous rates so that we enthusiasts will no longer be able to afford coverage? Will more people get coverage to get their plates then cancel and take a chance? What happens when one of them hits me? I'm also very concerned about how easy it is to get a licence for a motorcycle. If insurance companies

insisted on safety courses and restricted the size of bikes a beginner could use, we would all reap the benefits.

"In conclusion I feel the cost of motorcycle insurance is high enough now and with recent releases of information on payout, it appears that this statement could easily be supported. I hope your board rules that rates can be held, that all insurance companies should provide coverage and not just through the facilitator, that restrictions be suggested on size of bike a new rider can have and that licences be made more difficult to obtain.

"Thank you for taking the time to read my letter. I hope it gave you some food for thought. Your job is not an easy one but I do hope you remember the little guy who pays those premiums when deciding about the rates."

1110

Mr Harnick: You're not a little guy, Mike. You're the biggest guy in the Legislature.

Mr Cooper: This is not my letter. I have gone through similar circumstances and I feel the government may have to take a lead on this issue.

As mentioned in the letter, it may be necessary to bring in legislation requiring that for the first year of riding a motorcycle only a bike under 125 cc can be used. This would prevent people from going and getting their licence on, say, a 100 cc Honda and then going out the next day and buying a 1,000 cc rice rocket and killing themselves, which is what we read about in the paper every spring.

This is the law in Britain. Also, a mandatory motorcycle safety and operation course is necessary to receive a licence in Britain. The Ontario Ministry of Transportation, working through the Ministry of Colleges and Universities, has set up such a course, but unlike in Britain this course is not mandatory. As a graduate of this course at Conestoga College in Kitchener, I would endorse that these training courses become mandatory.

These classes include things like classroom instruction on "maintenance and inspection, controls and operation and pre-riding drill."

Then there are the practical courses which cover "basic operation, balance, starting, stopping, gear changing, basic braking and slow turns; starting, stopping and parking on grades; operations using cones and barricades to achieve serpentine weave, circle and figure-eight performance; off-road riding (ie sand, gravel, grass, shallow ditches); emergency braking and collision avoidance; Ministry of Transportation written and visual tests; riding on public roads with the objective of introducing the students to every conceivable type of road condition and riding experience, and individual discussions, evaluation and licensing of students by instructor.

"It is understood that all phases of this course are to be demonstrated by instructor before being performed by students."

With better legislation in conjunction with a better-educated rider, I am sure insurance rates would come more in line with that of car insurance, making the motorcycle a more economically viable alternative to the car.

The public's perception of the motorcycle needs to be changed. During the 1990 election campaign I was inter-

viewed by the press and they knew I owned a bike. One of the questions asked was, "Are you a biker?" When I asked what that meant, they responded, "Have you ever belonged to a gang?" I do ride a bike but, no, I have never belonged to a gang. These images have to be changed.

In contrast to having belonged to a gang, what I have done in conjunction with riding is to take my son on a 1,000-kilometre road trip to northern Ontario to visit his grandfather, and I found this was very well spent, quality time with my son. For all these reasons, and to help save our environment, I would like to see the government of Ontario promote the use of motorcycles as an alternative to the car.

Mr Mancini: I am pleased to have the opportunity to make a few brief comments on the resolution introduced by the member for Kitchener-Wilmot. I think it is imperative that the resolution be read into the record again. He moved, "That, in the opinion of this—

An hon member: Spare us.

Mr Mancini: No, it is important for us to get the true feeling and essence of this resolution. "That, in the opinion of this House, given that motorcycles use less of everything, the government of Ontario should promote the use of motorcycles." It is not often we get a resolution like this. It is not often that we get a resolution that is so wide-sweeping, impacts on so much of the government policy and gives the government members so much to think about.

We heard the member this morning, and I apologize for only hearing the last portion of his comments because I was in committee, talk about insurance and the high cost of insurance, and we know how the government feels about that. We know about its promises to bring in lower premiums for car owners through the use of public policy. We know they campaigned from Windsor to Ottawa and from Ottawa north and west to the Manitoba border telling citizen after citizen, "You vote for us, you give us your trust and we'll give you a public auto insurance scheme that will cause you to pay less for your insurance."

That is what they said. They got the votes. So I was surprised and I am sure my colleagues on this side of the House were surprised—

Mr McClelland: Shocked.

Mr Mancini: —some say "shocked"—to hear the honourable member for Kitchener-Wilmot bring up the issue of insurance and insurance premiums as it relates to the operators of motorcycles. Why would any government member, after having participated in repudiating the centre of his party's campaign platform, the centre of its manifesto, want to talk about premiums, auto insurance, motorcycle insurance, or anything of that nature? Why would any of them want to bring that subject up? Why would they?

They have broken their promise to give Ontario drivers lower premiums. They broke that solemn promise they made. Every New Democratic Party candidate in Ontario asked for votes based on government-owned car insurance, based on the fact that the premiums would be lower. The

people believed them and trusted them, and they have broken that trust.

Why should we believe the honourable member for Kitchener-Wilmot is concerned about premiums motorcycle operators have to pay when he showed complete disregard for the premiums car drivers had to pay by repudiating the centre of the NDP platform, the core promise of his vote-getting scheme?

What else did the member talk about? He talked about safety. He talked about legislative authority and initiatives to make motorcycle riding a more pleasurable and more safe activity. That reminds me of something which came up in the estimates of the Ministry of Transportation just a day or two ago. It reminded me, after listening to the member, of what his colleagues had to say a number of weeks ago about bicycle safety and it reminded me of the speech given by the member for Windsor-Walkerville. It reminded me of the demonstration that he gave the House.

Mr Hope: You can't put any foot pedals on it.

Mr Mancini: Does the member for Chatham-Kent have to continually interrupt my speech? Is it part of the standing orders that he has that privilege?

The Deputy Speaker: Please go on.

Mr Mancini: It reminded me of the speech that my colleague the member for Windsor-Walkerville, who also campaigned on government-owned auto insurance and lower premiums, gave to the House on bicyclists wearing helmets. During that speech and in the estimates I recalled some of the words. I also recalled for the members of the committee and the Minister of Transportation the questions that I had raised in the Legislature that morning that were pooh-poohed by the government members. They want to make it mandatory, along with some other members in the House, that everyone who rides a bicycle wear a helmet. In principle, there is nothing wrong with that.

But I asked a number of questions. I said to them: "Have you consulted with the municipal police forces to see if they would be able to police such a new regulation? Have you had discussions with the municipalities to see where the extra money would come from when additional resources were put into specific policing?" Most important, "What would you do for families, large families or families whose finances would not allow parents to buy helmets?" Some of these helmets go from \$40 to \$80. If you have three or four children or if you have just lost your job, if you have just been laid off, maybe you cannot buy a helmet. Who would ensure that those children who could not be provided with a helmet would in fact be provided with one so that they could ride their bikes to school or to the corner store and partake in an activity that all of us, as young people, took for granted?

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During those moments in the Legislature a number of weeks ago when I placed those questions there were cat-calls and I was interrupted but there were no answers to those questions. In the committee we got no answers from the minister on those questions.

I say to my honourable colleague the member for Kitchener-Wilmot, it rings hollow to me when I hear gov-

ernment members get up and speak about safety, speak about courses which are necessary, increased safety regulations which he deems to be necessary for motorcycle riders, when they have done absolutely nothing, taken no initiative whatsoever to answer any of my questions about the statement they made and the principles they espoused on helmets for bicyclists.

I say to my colleagues on this side of the House, why should we believe the honourable members opposite?

Mrs Caplan: You shouldn't.

Mr Mancini: My colleague the member for Oriole says that we should not believe them. Based on the government's performance, based on the performance of all of the backbenchers who come to the Legislature regularly to support the activities of their Premier and cabinet, we should not believe them. My colleague the member for Oriole is absolutely right. We should not believe them.

I understand that the member is a motorcycle enthusiast and I understand that is quite a thrilling sport and I understand from conversations that I have had with other motorcycle enthusiasts that there are certain things we can do to make the highways safer for all, to make this activity one not only for sports enthusiasts but for people who would like to use their motorcycles to go to work or any other legal activity they would like to undertake. I understand his interest in this matter and I understand his right to present this resolution to this House.

But I would say to the honourable member that he does his resolution some disservice by making it so wide-sweeping, by making it without any specific details in the body of his resolution. When we read that the government should promote the use of motorcycles because they use less of everything, it leads us to believe that maybe the member himself was not quite sure what the government should do and maybe he was looking towards other members of the House to find their views and to see what we could do to advise him.

We are willing to do that. We are willing to be of help to the member. We are probably willing to be of more help to the member than his cabinet colleagues will be, because as the Liberal Transportation critic I am willing to wager a glass of water that we will see absolutely no initiatives from this government on this honourable member's resolution in the next 12 months.

Mrs Caplan: You could bet the mortgage, never mind the water.

Mr Mancini: I would love to bet my mortgage, but we cannot. I say to the honourable member that we want to support him in making the highways safer for all who use the highways. We want to ensure that people who wish to ride their motorcycles to work or for social activities have that right and privilege and all the safety that goes with it, appropriate premiums, etc. We expect no action from the members opposite on that.

We will sit here patiently and we are prepared to support some of his initiatives, but I think he will find that he will get more support from us on these benches than he will from his own cabinet colleagues. I would like to conclude my remarks by saying that in a year's time or two

years from now this will be just another NDP broken promise.

Mr Villeneuve: I too want to participate for a short time and share some of the time with my colleagues on this particular motion. I am quite prepared to support it, but I do not believe it will make very much difference to whether there are more or less motorcycles on the roads of Ontario. The interesting thing is I get a very confused message from this government right now. They were the ones that this spring said that the Golden Helmets OPP precision driving would be cut off. "We don't want you any more."

Yet in the same breath we have a member, a backbench member I will grant, come up and say, "We should encourage motorcycles and the use of motorcycles, because they are more fuel-efficient and what have you." That is a very different message than I got whenever the OPP Pipes and Drums band, which came to my town of Maxville to participate in our Highland games, was done away with. The Golden Helmets came to my rural areas on a number of occasions. I was very proud to have them there. They came and they entertained. They entertained as proud OPP officers, precision motorcycle drivers setting an example for exactly the type of legislation that is being suggested this morning. But they do not exist any more. A very confusing double standard. I have a problem with that.

I did some research and it is interesting. There are a number of very high-profile, well-known and well-accepted motorcycle groups across the province. The Harley Owners Group, very important people, I understand basically are in the salary range of \$45,000 to \$50,000 a year and are 40 years old and over. That is very interesting. I guess this is where that puts this particular member of the Legislature.

Mr Cooper: I am too young.

Mr Villeneuve: He is not 40 yet. I am sorry.

Mr Cooper: Mine's a Yamaha.

Mr Villeneuve: He has a Yamaha. Whether he is driving a Yamaha, a Honda, a Davidson, a Suzuki or whatever, they are all machines. My wife and I are the parents of five children and one thing we dreaded was that our son would want to purchase a motorcycle or that one of the boy-friends would come down the farm lane some day on one of these motorcycles.

It made us very nervous as parents, and I think rightly so, because I have some statistics here from the Ministry of Transportation. They go from 1984 to 1988, and they are a little bit alarming. I will quote—1984: 116 drivers killed, 19 passengers killed and almost 7,000 serious injuries; 1985: 97 drivers killed, 23 passengers killed, 6,000 serious injuries; 1986: 99 drivers killed, 15 passengers injured, almost 6,000 serious injuries; 1987: 120 drivers killed, 12 passengers killed and over 5,000 injuries; 1988—the statistics get better—only 76 drivers killed and 13 passengers killed.

One little mistake when you are on that motorcycle and you do not live to tell what happened. There is the problem. Some are lucky, but those are the real facts of life. I do not care about insurance at this stage of the game. I am

talking about people who are either scarred or maimed for life or indeed gone from this world because of a slight mistake.

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We have the reasons for some of these same accidents and I will not list them because time is of the essence. But it concerns me very much when someone has suggested that and there is nothing wrong with suggesting we should encourage, but with that goes the awareness of the danger of the vehicle. That must be first and foremost, and with that goes putting the OPP Golden Helmets precision riding team back in business to set the example. What is wrong with that? I did not see that as part of the member's motion. I could support his motion much more easily and readily if that were part of it.

"Institute tougher licensing requirements." I do not know who is going to buy the first motorcycle and who is going to buy the second motorcycle, but quite obviously we are talking about a smaller, slower machine for the first year and then as you realize how dangerous the machine can be you are licensed for something a little more. Experience is all part of the learning process.

Will the member clarify the Highway Traffic Act to outline and enshrine motorcyclists' rights? Let's face it, these people pay fuel tax and they pay for their licence. Sometimes it is only a motorcycle. For us as car drivers "Well, it's only a motorcycle." It is not only a motorcycle. It is a person or two people on a motorcycle and a life could well be at stake.

Will he include motorcycle awareness components in the training of OPP officers and in the training of new drivers who see the fun side of this but do not see the very dark side of it, which is injuries and death?

Will the member reinstate the Golden Helmets? I ask him to address that. Will he suggest to the Premier to reinstate the Golden Helmets? The cost was minimal. They were already on staff and they were very much appreciated by people particularly out in rural areas. On a number of occasions I had them in my communities. People—and young people—came out en masse and they were very proud to see the excellent job the Golden Helmets did.

Will he work with the municipalities to encourage parking laws and safety for motorcycle drivers?

I will speak from personal experience again. Certainly those members from northern Ontario know that at this time of year it can be very nice and warm on a particular Saturday morning and by the time Saturday night or early Sunday morning comes along, you could be in a snowstorm. I have experience. Coming home from the farm show in Ottawa, for example, at 2 o'clock in the morning I was following a motorcycle and it was snowing. It was a heavy snow. He was having trouble staying on the road and I can appreciate why. It was not easy for cars either. Those are the circumstances motorcycle drivers sometimes find themselves in—being victims of weather conditions. Certainly the weatherman can be of assistance, but we know he is not always correct.

Those are the perilous areas, the real areas of concern, where human life is involved. I am quite prepared to support

the motion, and I would very much like to see the Golden Helmets come back.

Mr Mills: It is indeed a pleasure for me to stand in my place this morning and speak to the resolution of my colleague the honourable member for Kitchener-Wilmot. I do not intend to parlay the discussion of this resolution into some political battle, as the member across the way started off doing and as some of the other members tend to continue.

My experience in motorcycles goes back to 1944. I was living in England at the time and, rather foolishly—the war was winding down and the American troops who were in England were disposing of some of their assets over there—I was persuaded to purchase an Indian 500 they did not want to bring back to the United States. Having purchased this motorcycle, what I failed to take account of was that gasoline was rationed and I did not have anything to make it go on the road. I remember going down to the war surplus store and picking up this motorcycle and pushing it home, which was no easy feat.

At the time I was working on a farm, and we used to have German prisoners of war arrive every morning to work on the farm by way of an army truck, with two British soldiers as guards. The Speaker will appreciate this, as an ex-military man. I guess the guards must have had some hard nights, but they used to fall asleep and thus leave the truck unguarded. The Germans would come to me and say, “We can get you some gasoline for your motorcycle out of the truck, because the guards have fallen asleep, if you’ll give us a pack of cigarettes.” I must say I agreed to this arrangement and that allowed me to have gasoline to run a motorbike when, to all intents and purposes, all the motorcycles in the country were shut down.

It is rather interesting—and I just pass this along for members’ general information—that the policemen of the day over there were riding push-bikes. My good wife, whom I was courting at the time, lived some 15 miles away, and the pressures and urges of young love made me get my motorcycle out of the barn and ride it to visit her, knowing full well that I should not have done that. These Indian 500s have quite a purr to them and, being a young man, I really opened up this purr. It caught the attention of the local constabulary, because in the middle of the night, you wonder what is going on.

The next morning the policeman came to visit me on his push-bike and said he had heard and had reports of the exhaust of a motorcycle ringing through the countryside during the night. I said to him that he must be kind of nuts, because for me and for him there was no gasoline available to ride a motorcycle and where would I get such? He said, “Well, I’m just following up some reports on that and I just wanted to let you know.” That gave me the message that this foolishness would cease and I would keep the motorcycle in the barn until after the war, and then gasoline again was free for everybody to get.

Later on in my career I was a member of the Canadian Forces, as members know. During that time I had the opportunity to take proper courses on how to operate and maintain a motorcycle, and had the pleasure of being a dispatch rider, sort of, attached to the 2nd Battalion of the Canadian Guards. I had the pleasure of riding that motor-

cycle many, many times from Canadian Forces Base Petawawa way down to a Canadian Forces base in New Brunswick. I must say that was quite an experience. Through that motorcycle I was able, through my training, to effectively move large convoys of traffic through—I remember one particular city was Ottawa, which was no easy feat.

When I speak to this resolution, I am not a Johnny-come-lately-on-the-spot about motorcycles. I have heard my friend the member for Simcoe West, who is not here now, make some sort of comment that if you ride a motorcycle you are doomed to an early grave, and I think that as I stand here today I am living proof that you can ride a motorcycle carefully. It all depends upon proper training and proper respect for that vehicle. It does not necessarily mean that to promote motorcycles means you are doomed to a sudden death.

I think we have to go a long way to educate car drivers in the province that bicycles and motorcycles are indeed vehicles on the highway and they need and expect as much respect from car and truck drivers as other vehicles. I think therein lies the crux of some of the problems with the accidents that happen with motorcycles in our province today, that the respect for another person on a vehicle that does not necessarily have four wheels is lacking.

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In a time of economic crunch, I can see that a motorcycle makes very good sense in so far as it uses less of everything. It uses less gasoline. You can park about five motorcycles in a space occupied by a car. I have some difficulty in coming to grips with the winter weather in Ontario in so far as the use of a motorcycle goes. That is a real challenge, to say the least.

Nevertheless, I think the member’s resolution is with good intent. He means it to be taken in its presentation, and I am sure that, like him, I remain very perturbed that such a harmless resolution, such a meaningful resolution, should be taken in such a political, partisan way and ripped to pieces in here.

I would also like to pay particular attention, as the member for Kitchener-Wilmot did, to the charity work that motorcycle riders do in Ontario. They are very well known for riding and raising money for all kinds of charities and I think that is very worthy. It just goes to show that sometimes people use the connotation that motorcycle people are a little bit less than we are, and that is not true. I know some very well-off doctors and dentists who ride motorcycles on the weekend and partake in these efforts to raise money for so many worthwhile charities in Ontario.

In closing, I commend my colleague and friend the member for Kitchener-Wilmot for bringing this very topical item to debate, and I thank the members for the time I have had here to debate it.

Mr Bradley: I find it passing strange, first of all, that a member of the government that is withdrawing the funding for the Ontario Provincial Police Golden Helmets, a group which is noted for maintaining the traditions of the province of Ontario, would be promoting at the same time the use of motorcycles.

The second thing I would note is that the people in St Catharines who are represented by Local 199 and Local 676 of the Canadian Auto Workers may be just a bit concerned about the fact that their automobiles would not be promoted to the same extent if there were promotion of motorcycles in Ontario.

I think one has to be very careful. It is a matter of choice. There are some people who are going to enjoy the use of a motorcycle and find that it is to their liking and to their benefit. There are others who are going to enjoy the use of automobiles in Ontario. They of course will reflect, as I do, upon the fact that there are many people employed in the automobile industry, represented so ably by the Canadian Auto Workers in St Catharines and other communities across the province.

My concern is certainly that. I will relay that concern to my good friends on the executive of the Canadian Auto Workers in St Catharines and indicate to them that the NDP is promoting motorcycles to the detriment of automobiles in this province.

Mr J. Wilson: I am very pleased to have a minute or two to express my opposition to this resolution put forward by the NDP member. It is probably the most vague, unrealistic resolution I have ever heard of being put forward in Parliament. The member for Oakville South had a very serious resolution in the last hour that the government is not going to support, something that would have actually done some good for the taxpayers of this province, and here we have a resolution that says because motorcycles use less of everything, we should promote their use.

This does not even make any sense. It is useless. The explanatory remarks from the member are pretty useless in the context of my experience. I used to work at Earl Rowe Provincial Park in Alliston and we had motorcycle gangs for many years. I will not, on behalf of my constituents, support a resolution that may bring back the possibility of motorcycle gangs. Wasaga Beach is cleaned up now, but for many years there was a very dangerous situation there. We had a tremendous number of OPP officers assigned to the Wasaga Beach detachment during the summertime to deal with the motorcycle gangs.

Interjection.

Mr J. Wilson: It was not in the 1950s because I was not alive in the 1950s. It was during my lifetime.

Second, I have a vision. I expect the members of the government to show leadership, if this resolution passes, by getting rid of their drivers, chauffeurs and limousines, which they criticized both the Liberals and the Conservatives for having for many years. But I am not sure I really want to encourage that, because my vision is that the unruly gang of former garbage truck drivers and motorcyclists and God knows what else who now run our government will be travelling down Highway 400 as Bob Rae's motorcycle gang, coming into your riding. Can members imagine what a scary picture that would be? I thought motorcycle gangs going into Wasaga Beach were scary in the past, but to see the NDP caucus gang come into your riding would be a scary sight indeed, and I fear for the lives of my constituents and their wellbeing.

Mr Mills: On a point of privilege, Mr Speaker: I take exception to the member referring to the members of this government as ex-garbage truck drivers. That is not true and I would ask him to withdraw that.

The Deputy Speaker: There are times when language used in this House goes a bit too far. There are times when certain language is used that more or less entices people to get angry. It is as simple as that. This is not a point of privilege, but it is certainly a point for me to tell you that you should be careful in the type of language you use in order not to offend each other. It is as simple as that.

Mr Martin: On a point of order, Mr Speaker: I was going to say that even if I were a former garbage truck driver I would have been proud of that job and that profession.

Mr J. Wilson: I will be careful—

Mr Frankford: On a point of order, Mr Speaker: I would also like to point out to the members that in my training in London, when I was in medical school, I rode a motor scooter. I would like that to be added to the record.

The Deputy Speaker: I think I have heard enough points of order on that issue. I ask the member for Simcoe West to continue the debate.

Mr J. Wilson: These frivolous points of order are taking up our party's time here in the Legislature. I will point out that the Minister of Energy used to be a part-time driver for Dusty's Disposal Service, so for the member for Durham East to tell me it is not true—

Interjections.

The Deputy Speaker: Order. When the Speaker stands, it is normal procedure that the member should take his seat. I just want to remind the member for Simcoe West that you still have three minutes and six seconds to debate the issue. You do not want to take advantage of it?

Mr J. Wilson: No, I have sat down.

Mr Turnbull: On a point of order, Mr Speaker: My colleague had sat down before that point of order was raised, and in fact you let the clock continue to run, so it was subtracted—

Interjection.

Mr Turnbull: It was not a point of order because everything my colleague said was absolutely correct. Mr Speaker, I would ask that you add the two minutes on to the clock.

The Deputy Speaker: Thank you very much, but the Chair rules that there will not be any time given back. We will continue. I think it is a lesson for all of us that we should make sure debates are conducted properly.

Mr Hansen: I am proud to speak on this particular private member's notice of motion.

Mr J. Wilson: On a point of order, Mr Speaker: My point of order—in fact it may be a point of privilege—is that I gather your ruling is that my debate was not conducted properly, and I find that offensive.

The Deputy Speaker: I made a ruling and as you know the standing orders are very clear. You cannot challenge the Chair.

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Mr Hansen: I have to say to the member for Simcoe West that my dad was a motorcycle rider. He rode in the war. I took up riding a motorcycle when I was going to college. My son is in college and he owns a motorcycle also. It is very good alternative transportation, especially for long distances if there is no public transportation available. I would say that our government likes to recognize all sectors of transportation—not just transportation, but whatever it is.

The fabric here in Ontario is that there are quite a few people who do things in a different way, and some of them like riding bikes. I was a sponsor this last May for the Bikers Rights Organization of Ontario. For the first time they had a podium on the steps of Queen's Park to relay to Queen's Park and to people in Ontario what they are looking at as motorcycle riders. The member for Simcoe West has the wrong impression of motorcycle riders. I think that by coming out to one of these rallies, he will have a different impression. I think it is a stereotyped image that has developed over the years. We have to take a look at what a motorcycle rider is today compared to maybe 30 years ago with Hell's Angels. Not everybody out there belongs to Hell's Angels. Times are changing.

There are a few things that even the previous government has done. At one time bikers were not allowed to come and camp in provincial parks. There has been some change, some giving by the past government to give the bikers rights equal to those a car driver has.

I have to say too that during the war we exercised rationing when rationing was necessary. That is why a lot of people were riding motorcycles. This is one thing that puts down on pollution. I heard Pollution Probe yesterday outside Queen's Park talking about how maybe we should be taxing that second car a little bit more, or how maybe if there is already transportation in a particular area, there should be extra fees for using roads in that area. These are ideas from Pollution Probe. They are not government suggestions but suggestions from the public out there.

Something that came up on the insurance issue is that 35% of the insurance is purchased from a company outside Ontario and Quebec. In 1989, the latest statistics I have, income was \$38 million and expenses were \$25 million for the insurance companies, which gave them a 35% return on their money. One thing members have to understand is that while there is a popular perception that motorcycles are a bad risk for insurers, it is a fact that motorcycle insurance generally is far more profitable than automobile insurance. Ministry of Transportation figures indicate there has been an improvement in motorcycle safety resulting in lowered accident and fatality rates. The other thing is that the average age of motorcyclists in Ontario is increasing.

I have met with the bikers' rights organization and their whole thrust is on safety on the highway. As my friend stated earlier, they would like to get a learner's permit that would have a small bike, 125 cc and under. You would have to hold that for 180 days, and then you would go into a probationary licence that would be for 365 days, during which you would still be on a smaller bike. After you have

completed 365 days, you would wind up going to a class M motorcycle licence with full riding privileges. Some of the restrictions would be that a learner would not be able to ride a half-hour before sunset or a half-hour before sunrise and would have to have a zero blood alcohol content. If you accumulate six demerit points, there would be suspension of the learner's permit.

This is coming from the motorcycle riders. It is what they are looking at. They are looking at their own lives and they want people out there to be aware that they are on the road too. They pay to have a licence. They have a right to also be on the roads here in Ontario, not just automobiles. I think this is what they have been trying to put across for a long time. There are 145,000 licensed motorcycle riders out there, and we cannot ignore those riders.

Mr Turnbull: In my abbreviated time I would comment that I am extremely disturbed that the members of the governing party find it necessary to bring such trivial motions forward in private members' hour. My good friend the member for Kitchener-Wilmot certainly has told me that he does not have enough time to ride his bike and I have a lot of sympathy. I will be voting against this, not because I have anything against motorbike riding, but I do have a few comments to make.

Surely this government should be trying to promote this province, and to my knowledge there are no motorbikes made in this province or in Canada. Here in Canada the automobile companies are struggling to make efficient, safe automobiles. Surely, given the fact that many of the large bikes today cost more than small automobiles, it would be in our best interests, if we are going to bring something forward, to try and promote their efforts.

If the member were to suggest that perhaps Bernard Ostry, the chairman of TVO, and his successor were to have motorbikes, I would say that would be a great idea when we consider that the taxpayers of this province paid in excess of \$50,000 for his chauffeur last year until our party pointed this out.

It has been suggested that we encourage the practice of ministers going around on motorbikes. I would say absolutely not. Ministers have a very busy schedule, and we certainly want to make sure that on the way to their various functions, they learn the speeches their high-paid contract speechwriters have written for them. God help us that they should have an accident trying to learn the words or having them read for them if they have difficulty.

The automobile is surely a safer vehicle to be riding in here in Canada. In the summer, motorbikes might be relatively safe, but they are not very safe on winter roads in Canada. I do not want to be negative about this. I just want to say that I think the government should surely consider bringing forward more constructive private members' resolutions rather than wasting our time with this kind of effort. We are not against the motorbike riders, but we do not think the government should do anything to promote motorbike riding. It should do everything to promote the economy of Ontario, and that would mean safer, fuel-efficient cars and making sure we emphasize the made-in-Ontario aspect of it.

Mr Hope: In the short time I have, I would like to contradict some of the things that have been put forward today. What we are talking about is for the people out there to be safer-minded about using motorcycles, promoting the use of motorcycles. Those of us in rural Ontario, and I am speaking on behalf of the biking club in my community, do not have the luxury of GO Transit and other transits that are there.

I heard the member for St Catharines saying, "Well, your CAW friends will be upset with you." A lot of our auto worker friends will still be happy, because there still are certain times of the year we need the automobile, the car. But for us who travel back and forth to work, the motorcycle is cheaper on gasoline and is not as hard on the roads. It is very important for those of us who do not have high-wage values, when we need a second vehicle, to have the ability to purchase that second vehicle, because motorcycles are cheaper.

The statistics that were put out earlier, I must mention, did not tell members how many people are actually killed in car accidents. This resolution is not very detailed for the simple fact that we did not want to confuse the opposition. We wanted to keep it simple so they understand that what this government wants to do is promote safety in the use of motorcycles, promote their use, make sure we use them wisely and help the people of rural Ontario, who do not have the luxury of other transit, to take advantage of them.

1200

Mr Cooper: I think most of the concerns raised by the opposition members have been covered by the members on this side. I started off this resolution saying it was to generate a broad-based discussion on the use of motorcycles. I think we have achieved that this time.

The second part was to change perceptions. As we have seen from the members opposite, the perception is that all motorcycle riders are gang members or long-haired hippies with tattoos and earrings.

I have ridden in groups. I have ridden with my union brothers on day trips. I have ridden with church members. I attend a United Brethren Mennonite church. The assistant pastor has a bike. We got a group of 15 church members together and went on a tour. We had some spiritual enrichment while we were out doing this. It was a day that was filled with quality, because we were out with our wives. That is the recreation aspect.

But I am not talking of recreation here; I am talking about an alternative form of transportation. I think motorcycles use less gas and cause fewer pollution problems, such as the tire dump problem that filters in here. I was hoping to get more constructive comments from the opposition, which I did not get.

Mr J. Wilson: Then put forward a more constructive resolution.

Mr Cooper: As for this being a trivial resolution, I think it is a very important one because it shows our commitment to the environment of this province. As for the economy of this province and my auto worker friends, if we had more motorcycle use, we could probably put on pressure and get some motorcycle manufacturing going here.

I thank the members on this side for supporting this resolution, and I am sure the members opposite will, in principle, support this.

The Deputy Speaker: The time provided for private members' public business has expired, but before we start to vote, I would just like to give you a few words of wisdom. Let me read from Erskine May, "Good temper and moderation are the characteristics of parliamentary language."

Mrs Caplan: On a point of order, Mr Speaker—

The Deputy Speaker: I will not accept any point of order. I am about to proceed to a vote.

Mrs Caplan: I think it is an important point of order.

The Deputy Speaker: I will listen to it, then.

Mrs Caplan: I think your interjection and the wisdom you shared with the House were very valuable. Certainly, members have to be reminded from time to time that language, the use of words, can incite behaviour in the House that is unbecoming. Your interjection was timely, and I want to thank you as part of my point of order.

1210

MANDATORY LEGISLATION REVIEW

The House divided on Mr Carr's motion, which was negated on the following vote:

Ayes—16

Arnott, Bradley, Callahan, Caplan, Carr, Cunningham, Curling, Mancini, McClelland, Miclash, Poole, Stockwell, Tilson, Turnbull, Wilson, J., Witmer.

Nays—33

Abel, Carter, Christopherson, Cooper, Coppen, Dadamo, Drainville, Farnan, Fletcher, Frankford, Hansen, Hayes, Hope, Huget, Johnson, Klopp, Lessard, MacKinnon, Mammoliti, Marchese, Martin, Mathysen, Mills, Morrow, O'Connor, Ward, M., Waters, Wessinger, White, Wilson, G., Winninger, Wiseman, Wood.

MOTORCYCLES

The Deputy Speaker: Mr Cooper has moved resolution 29.

Motion agreed to.

The House recessed at 1212.

AFTERNOON SITTING

The House resumed at 1330.

MEMBERS' STATEMENTS

DONATION BY PHARMACEUTICAL MANUFACTURERS

Mr Henderson: Many honourable members will share my sense of the tragedy of suffering and poverty in some Third World nations.

Several Ontario pharmaceutical manufacturers have made a significant contribution to the alleviation of shortage and suffering in Third World Latin America through a donation of medications with a total value of about 30,000.

Members will know that many Latin American nations are reaching very actively to develop stronger economic, trade, cultural and other ties with Ontario and Canada. Besides satisfying our altruistic wish to help less wealthy peoples, that can benefit Ontario as well. There is a real chance for Ontario to benefit by seizing the initiative in broadening our interchange with Latin America.

I applaud the generosity of these Canadian pharmaceutical manufacturers and especially wish to thank Richard Denyak of Nu-Pharm Inc, Leslie Dan of Novopharm Ltd, Ron Fofo of Genpharm Ltd, Saul Magder of Taro Pharmaceuticals Inc and Bernard Sherman of Apotex Inc.

VISITORS

Mr Carr: We are fortunate today to have in the members' gallery a group study exchange team from Rotary District 9750 in Australia. The five men are visiting Rotary District 7070 in Toronto and are accompanied today by Mr John Gregory, who is the chairman of international service for the Rotary Club of Toronto.

The team is here to learn about Canada and our way of life. They are midway through a five-week stay and have been living with Canadian families and touring Canadian industries and manufacturing firms, looking at various facets of commerce, law, education and government.

We welcome Graeme Watchers, Sam Carella, Nevelle Stephenson, Paul Brady, Kevin Barrington and Phillip Glutz and wish them an enjoyable visit and a speedy return to Ontario.

OPENING OF UNIVERSITY BUILDING

Ms Carter: On Saturday, the Minister of Colleges and Universities will be coming to my riding to open the new environmental sciences building at Trent University. Imaginatively designed by Vancouver architect Richard Henriquez to blend in with the existing buildings designed by the late Ron Thom, this \$9-million addition to Trent houses the departments of biology, geography, environmental and resource studies and watershed ecosystems.

The university launched a major fund-raising campaign to pay for this building, which has been successful. In addition to funding for the building from the Ministry of Colleges and Universities, the Ministry of the Environment provided generous funding for a toxicity testing laboratory which Trent scientists will operate on contract to the

ministry. Other research projects are funded by private industry.

Trent currently has environmental research teams studying atmospheric and botanical impacts of greenhouse gases, ozone layer depletion, acidification and solar energy. Toxicology studies are examining the transport of toxins through ecosystems and attempting to predict any harmful effects from them. Other research aims at developing strategies for rehabilitating lakes, wetlands, mine tailings and depleted species of plants and animals.

The new building and its research laboratories will be open to the public at an open day on Sunday. The research work in this building will play a significant role in helping to protect our environment for future generations.

DIABETES

Mrs Fawcett: Today I rise to lend my support to those from my riding who have expressed their very real concerns with this NDP government's projected \$1-billion cutback in health care and how this will especially affect those with diabetes.

Last year I participated in the Diabetes Celebrity Challenge and gained a better understanding and appreciation of how this disease can affect one's daily life. I learned even more when I had the opportunity to speak with Ken McColm on his incredible journey.

Great strides have been made to expand programs in diabetic care. There is an urgent need to build on these achievements and to improve the services for diabetic persons.

Diabetes knows no barriers, yet it has been proven that seniors, natives and those living in rural communities are the most susceptible to this debilitating disease. In total, over one million Canadians have diabetes.

I remind this government that wise management of health dollars will mean less costly expenditures in the future. Proper care and education of persons with diabetes could mean better health and productivity, shorter hospital stays, fewer complications and a better quality of life. Diabetes is the second leading cause of hospital treatment.

I sincerely hope that as this government attempts to control its runaway spending, it will look to sound management of ministry dollars and careful consideration of the over one million Canadians who suffer from diabetes.

TOBACCO TAXES

Mr Villeneuve: Members may know that in the last seven years Ontario's revenue from tobacco sales has virtually doubled. The tobacco tax now brings in over \$1 billion, almost double the entire budget of the Ministry of Agriculture and Food. Tobacco revenue has increased by some \$457 million, but our agricultural budget has gone up by only \$288 million. More than that, one quarter of the agricultural budget is nothing more than a property tax rebate for school and municipal taxes paid on producing fields, orchards and their service buildings.

In the region of Haldimand-Norfolk, there has been a very unfortunate relationship between tobacco and property

taxes. Tobacco taxation has driven many tobacco farmers out of business. We all know that. High tobacco taxes have reduced the value of properties and farms on the Norfolk side of the region. The result is that under the last reassessment the Haldimand side is now paying much higher property taxes.

This is not the fault of the residents of Haldimand. The value of their properties and their wealth has not skyrocketed in the last four years at all. They have not received a bounty of new municipal services. And it is certainly not the fault of tobacco growers in Norfolk. There are no equally valuable crops to replace the tobacco that is being grown on the sandy soils.

If the government expects to collect huge taxes from tobacco, it should be willing to use that money to help the farmers and property taxpayers in areas hurt by that same tobacco tax.

BLOCK PARENTS PROGRAM

Mr Mills: It is currently Block Parents week in the town of Bowmanville, which is located in my riding of Durham East. I would like to remind members of the importance of this community project.

The Block Parents program plays a crucial role in keeping children safe in our neighbourhoods. Children can go to Block Parents for help in an emergency. For example, they can seek help if they are being bothered by strangers or if they are feeling unwell. A Block Parents home is easily identified by a red and white sign in the window. This sign tells children that the home is a safe place to go if they need help.

The program has been very successful and has spread to communities throughout the province. Local police forces are pleased to give advice on how to set one up. Any community resident over the age of 18 can become a Block Parent after police screening. It is a great way to serve one's community and I strongly encourage all citizens to get involved.

This program is an excellent example of co-operation between parents, teachers and the police. It shows how effective crime prevention can be when citizens and the police work together. I fully support the Block Parents program and encourage all members in the House to support it as well.

1340

CLOSING OF TREE NURSERIES

Mr Miclash: We on this side of the House are very concerned about the planned Ministry of Natural Resources closing of tree nursery programs in Orono, Dryden and Thessalon.

Let me read a letter from a tree nursery worker from Dryden which he recently wrote me:

"Dear Mr Miclash,

"I'm a concerned worker who has worked for Dryden Nursery for a number of years. I work on a summer basis and need the income to make ends meet. Most of the other employees need it to make ends meet too. If the jobs are taken away, they would have to cut staff to one third of what they employ now.

"Dryden needs those jobs just as Thunder Bay. Most employed by the tree nursery are older workers and have not had the opportunity of proper education.

"I do not think in all fairness these jobs should be sent elsewhere. The size of this is greater than one might expect. We the workers will not stand for the uprooting of our jobs.

"I'm greatly opposed to sending Thunder Bay our jobs. Do you think if the shoe was on the other foot that they would let us have their jobs without a fight? I think not."

I have received a number of these letters and a good number of phone calls from some very concerned workers, workers who I think have a real strong sense of what they do in our areas of these three tree nurseries. I would just ask that the government take another good look at what it plans doing in terms of moving these jobs out of areas that very much need them.

HOSPITAL FINANCING

Mr J. Wilson: The proposal for massive staff cuts and bed closures at Toronto Hospital is another example of how Ontario hospitals are being forced to go it alone while this government sits on its hands.

Three years ago, the then Leader of the Opposition, now Premier, said in a news release:

"Ontario's health care system is on a collision course with Elinor Caplan and the Liberals' fatal prescription for health care. The Liberal government's hatchet job on hospital funding, combined with their broken promises on health care, has produced a growing list of casualties across the province.

"Bed closures and program and staff cuts are becoming a standard response to the Liberals' crusade on hospitals."

By now, no one in Ontario is surprised to learn that the NDP election promises were simply put together so they could con enough people into voting for them, but the people of Ontario are surprised to see just how silent the Premier and his caucus are on issues such as hospital bed closures that once were so sacred to the NDP before they inherited the government benches.

One half of all the hospitals in Ontario are forced to carry deficits because the government of Ontario continues to mandate programs and services on to the backs of hospital boards without a cheque from Queen's Park to pay for these services and wage settlements. It is unthinkable that residents in Ontario, who are paying more and more in taxes, now have less and less in the way of services under this NDP government.

In view of these circumstances, I want the Minister of Health and her government to immediately provide a coherent, co-ordinated plan for Ontario hospitals so they can retire their operating budgets without having to randomly slash services.

OKTOBERFEST

Ms Haeck: Oktoberfest is wunderbar. Those who visit Kitchener-Waterloo will agree with that.

There is another Oktoberfest in Ontario. On October 26 and 27, everyone is invited to St Catharines to participate and partake in the fun. This weekend will see bands

laying, dancers dancing and even a re-enactment of the original reason for Munich's festival; that is, the wedding of King Ludwig's daughter in the early 1800s.

St Catharines is located in festival country. Throughout the year all and sundry can enjoy an array of activity: Folkarts, the Sausage Festival, the Niagara Grape and Wine Festival and now Oktoberfest.

A lot of credit must be given to the organizer of this festival, Mr Steve Ruf. Steve is credited with being the founder of Folkarts, two weeks of multicultural celebrations which have been taking place for over 23 years. Nine years ago he was integral to the start of the Sausage Festival, an activity which again demonstrates his energy and his commitment to the city of St Catharines. Now there is Oktoberfest. Steve truly deserves the local chamber of commerce award for his festival activities. I extend to Steve and his co-celebrants my wishes for a successful weekend. Ein prosit.

LAND REGISTRATION

The Speaker: On Thursday last, the member for Dufferin-Peel raised a question of privilege with respect to a matter in which I had given a decision on Tuesday, October 15, 1991, concerning remarks made in a court of law by a lawyer representing the Ministry of Consumer and Commercial Relations on a matter which was before a committee of the House.

On October 15, I ruled that this was a matter which was specifically before the standing committee on general government and, as such, ought to be settled in the committee and not in the House.

I reiterate that this matter may only be brought before the House by way of a report from the committee. I did not ask or instruct the committee to report back to me or the House. Whether a report is made to the House on this matter is for the committee itself to decide. I do not propose to hear further submissions on this matter.

MINISTERIAL STATEMENTS

Mr Conway: On a point of order, Mr Speaker: Earlier this week, you ruled on the question of statements being made outside the House. I found it quite an interesting ruling. I was particularly struck by your reference to Mr Speaker Weatherill who gave, I thought, some very timely advice in the Mother of Parliaments on July 16, 1991.

I understand very much what you are trying to tell all of us, and in particular members of the executive council. I will say as well that I understand some of the pressures that are on any executive council in these matters, but I want to bring to your attention, sir, an incident yesterday that I find about as offensive and as obnoxious as anything I have witnessed in a long time.

Let me just tell you what happened, Mr Speaker, in light of your very sage counsel. Yesterday, outside the very doors of this place, an agent of the Attorney General was passing out a news release containing very significant, and I think positive, policy on behalf of the government with respect to advice and directives to crown attorneys across the province regarding victims of sexual assault.

My colleague the member for Eglinton raised this very point three or four weeks ago in a good exchange. An extremely sensitive and important public policy was raised in this House, and not for the first time. Just three days after your ruling, a member of the staff of the Attorney General stood right outside this chamber at the end of question period and distributed a positive, timely and important announcement of public policy with respect to the protection of victims of sexual assault.

I find it breathtaking and mind-boggling that this government, particularly on an issue of such sensitivity to all members, would do something as offensive and obnoxious as to stand right outside the front doors of this legislative chamber and hand out a statement of government policy that we all have a very real interest in and, I suspect, a strong and real support for. I want to register my most deep-seated personal complaint on this kind of ongoing manipulation and offensive attitude to this Legislative Assembly, something that I have to believe my friends Donald MacDonald, Stephen Lewis and the late Jim Renwick would have found even more obnoxious and offensive than I do this day.

Hon Mr Cooke: Mr Speaker, I would be glad to look into the matter. I might also point out to you that when this matter was raised a couple of weeks ago, the House leaders had a discussion. We said we would make our best effort to correct problems that offended the opposition with respect to announcements. The opposition House leaders agreed that if there was a problem and if a particular announcement were made outside the Legislature that they felt should be made in here, they would make sure they got on the phone and talked to me about it so we could try to correct it.

Until now I have heard nothing from the official opposition. I am trying to work with the opposition House leaders, but if they do not want to follow through with their own agreements, it is hard to do that.

Interjection.

The Speaker: We do not need to debate this. Would the member take his seat for a moment, please.

To the member for Renfrew North, I appreciate his observation on the remarks which I made earlier in this chamber. Indeed, I believe I expressed on that occasion that I shared the view expressed earlier by Speaker Weatherill in the House of Commons in England. I stand by that observation. The member also knows the rules are quite clear with respect to the opportunity to make statements in the House.

To the government House leader, if there is a demonstrated willingness to co-operate on this matter, that of course will be appreciated, I take it, not only by the Speaker but by all members of the assembly. Hopefully that process will begin to take shape. If in that process the office of the Speaker, in the capacity as described, can be of any assistance, then of course the Speaker is more than delighted to provide any assistance in making it a more smooth operation here in the chamber.

1350

Mr Bradley: On a point of privilege, Mr Speaker: The government House leader has said that the opposition House leaders are supposed to go and tell him when a problem exists. It has happened several times. Surely somebody over there is giving the orders one way or another. Either the Premier has a strategy to deliberately avoid the House, which I think he has, or he has not. If he has not, then he should tell his ministers to start making their announcements in the House instead of playing the game they played yesterday.

The Speaker: The member for St Catharines knows it is not a point of privilege, but the Speaker knows it is a point of frustration.

Ms Poole: For me, this goes beyond a point of order; it is a point of personal privilege, Mr Speaker: On September 24 in this Legislature I specifically asked the Attorney General about his plans to ameliorate the effects of the Supreme Court decision on the rape shield law for the women of this province. I specifically mentioned training. I specifically mentioned crown counsel and some of the objectives he had said he was going to pursue. Outside this House, at the same time as the Attorney General's staff was handing out this press release, a member of the press asked the Attorney General, "Why are you not mentioning this in the House?" The answer from the Attorney General was that this was not a legislative matter; this was a legal matter.

Because I raised this in the House almost a month ago, surely this minister should be sensitive that this is a matter of great interest to the members of this House and the women of this province. If this Attorney General cannot seem to get that through his head, I suspect the Premier should be looking for a new Attorney General.

The Speaker: The member for Eglinton knows this is not a point of privilege. The matter has been addressed earlier, both by the member for Renfrew North and in a statement which was delivered to this House earlier by myself.

Mr Ruprecht: Mr Speaker—

The Speaker: Is this a different matter? Do you have a point of order?

Mr Ruprecht: Mr Speaker, if I can say one sentence, please, I want to tell you these are not isolated incidents. You will remember my discussion with the Minister of Tourism and Recreation about statements that had not been made in the House but were dropped on the way to the press room. They were not even indicated by a press release. If our residents and constituents are affected by announcements that ought to be made here, then we must really strenuously object to this kind of process.

The Speaker: Would the member take his seat. The member knows this is not a point of privilege. It has been addressed several times.

On a new matter, the member for York Centre.

Mr Sorbara: I want to rise on a point of order simply to advise you, sir, that what the Attorney General has done

in this House would represent professional misconduct in the practice and profession he engages in.

The Speaker: Would the member take his seat, please. There is nothing out of order. It is time for ministerial statements.

Mrs Cunningham: On a point of order, Mr Speaker: On the issue of ministers' statements in the House as discussed by the House leaders, speaking for our caucus, expect that we would not have to pick up the phone after the fact. What we would like is for the ministers to make their statements in this House.

Maybe we have a new beginning today, right this very moment. I see there are two ministerial statements. None of us expects to have to have to phone, and surely the government House leader does not want a phone call after the fact. All of us, the representatives of the people of Ontario, should be expecting to hear from ministers in this House. I want to make that point very strongly. Hopefully we have a new beginning today.

STATEMENTS BY THE MINISTRY

SALARY OF ONTARIO HYDRO CHAIRMAN

Hon Mr Ferguson: With regard to the controversy surrounding executive salaries at Ontario Hydro, I would like to make an announcement. Effective today, the salary of the chairman of Ontario Hydro, Mr Marc Eliesen, has been set at 80% of the salary paid to the Ontario Hydro president. This means Mr Eliesen will be paid at a rate of \$260,000 a year. This formula is consistent with the compensation formula established by the former Conservative government for the previous Hydro chair and chief executive officer.

Interjections.

The Speaker: Order. Will the minister take his seat, please. It would be very helpful if all members on both sides of the House could wait quietly and patiently and allow the minister to make a statement, after which there will be an opportunity for responses.

Hon Mr Ferguson: I find it somewhat inconsistent, Mr Speaker, that they complain about our not making statements in the House and when we do—

The Speaker: The minister will continue with his statement, please.

Hon Mr Ferguson: As for benefits, those paid to Mr Eliesen will be consistent with guidelines for Ontario Hydro executives and Ontario government deputy ministers.

Salaries paid to senior executives at Hydro are set, by policy established at the time of the previous Liberal government, at rates 25% below private sector salaries for executives with similar responsibilities.

Having said this, however, let me confirm that the whole matter of compensation for senior executives at Ontario Hydro has been referred to the Ontario Energy Board. We expect the board to make its report by the end of August 1992 as part of its review of Hydro's annual rate request.

In making today's announcement, I want to express the government's appreciation to Mr Eliesen, who came forward

to assist us in putting an end to this controversy. Mr. Eliesen has already requested the Ontario Hydro board of directors to cancel the employment contract agreed to by the board in August. His initiative in this case is consistent with his outstanding record of public service, which was recognized by the former Liberal government when it appointed him Deputy Minister of Energy in April 1990.

As to the question of responsibilities at Ontario Hydro, Mr. Eliesen will serve as chair, with chief executive responsibilities for overall stewardship of the utility. Mr. Al Holt will serve as president and chief operating officer. This combination will provide Hydro with the strong leadership it needs to meet the challenges at hand, which are to keep its own costs in line, rehabilitate the electricity system and support the government's policy of promoting energy efficiency and managing demand.

As a final note on the question of salaries, Bill 118, which governs the relationship between Ontario Hydro and the government, will be amended so that the responsibility for deciding compensation for the Ontario Hydro chair and chief executive officer will remain with the government.

Further, I want to say to the leader of the third party and the member for Renfrew North that the allegations they made in this House about Mr. Eliesen's character and details of Mr. Eliesen's pension arrangements at Hydro were completely incorrect. Mr. Eliesen never had any special consideration with respect to his Hydro pension. I am sure the honourable members opposite will want to correct the record.

400

SKILLS TRAINING ACTIVITÉS DE FORMATION

Hon Mr Allen: It gives me great pleasure to announce that I have signed today, on behalf of the province of Ontario, the Canada-Ontario labour force development agreement.

In the first year of the agreement, the federal government will contribute \$846 million for training in Ontario, and Ontario will contribute \$751 million, for a total of \$1.6 billion. Federal funding levels are expected to be similar in the second and third years of the agreement, which came into force retroactively on April 1, 1991. The figures for the first year of the agreement represent an increase of 33% over the amount, \$463 million, received last year.

The agreement is not a renewal of an old agreement. It is a new agreement, inextricably linked to this government's strategy for renewing the economy in Ontario. This is also a much fairer agreement. It represents a more equitable share of the federal training dollars for Ontario and redresses the previously inadequate funding levels negotiated by other governments in this place. It is a measure of this government's success in ensuring that the federal government responds to Ontario's priorities for economic renewal and recognizes the special adjustment challenges we face.

L'entente est un bon reflet du succès de ce gouvernement à s'assurer que le gouvernement fédéral réponde aux priorités de l'Ontario en matière de renouvellement économique et reconnaisse que nous faisons face à des pressions particulières quant aux adaptations nécessaires.

The agreement sets out specific areas of responsibility for each level of government and strengthens the co-operation between them. For instance, both governments will participate in programs to increase access to training for women, aboriginal peoples, racial minorities and people with disabilities—that is the designated list for the federal government—but in addition, the federal government has also agreed to our request to include for special priority in these programs social assistance recipients, francophones, the unemployed and older workers.

De plus, le gouvernement fédéral a aussi accepté d'inclure les bénéficiaires de l'aide sociale, les francophones, les chômeurs et les travailleurs et travailleuses âgés dans ces programmes.

The federal government has also agreed to lift its cap, which has been in place for some years, on funding for apprenticeship training and to provide more timely income support for apprentices.

Improved access to federal and provincial training programs will be a priority for both levels of government. The federal government has agreed, for example, to allow unemployed workers to receive unemployment insurance benefits while they participate in language, literacy, basic education and skills training programs.

The Canada-Ontario labour force development agreement also reaffirms the importance of the province's college system in the delivery of training programs. Minimum base funding for colleges will be \$104.8 million in 1991-92 and 1992-93, although funding, because of the transfer the federal government wishes to make to private sector training, will fall to \$75.5 million in 1993-94.

To address this reduction in third-year transfer payments, the agreement establishes, right from the outset, new mechanisms to guarantee colleges fair access to new federal training funds. For example, the federal government has agreed to give Ontario's colleges advance notice of federally funded training initiatives. Also, the federal government has agreed to inform third parties of the vital role our colleges play in the training programs of this province.

Colleges will also be among the key players in the local planning process, identifying and addressing local training needs. They will be consulted on the mandate of the new local training and adjustment boards, which will be designated and funded by both governments, and will be invited to have representatives on these boards that will make important decisions about local training allocations.

These new boards will play a key role in the training strategy of this government as a part of our overall economic renewal package, and I will be announcing further training initiatives that will follow this one in the coming weeks.

RESPONSES

SALARY OF ONTARIO HYDRO CHAIRMAN

Mr Conway: On the first announcement, all I can say is that I am pleased we are making some progress. It could not be clearer that this government's Hydro policy as outlined in Bill 118 is increasingly a shambles.

I want to say with all due respect how much I appreciate the support I have received in my campaign with respect to Marc Eliesen, who launched a money and power grab in Bill 118 that has begun to really concern and offend not just me and members of the opposition, but, happily, a growing number of my good friends in the government, because they know what they can defend and what they cannot defend out in Ontario. I repeat that this kind of money grab and power grab Mr Eliesen wrote for himself with the original Bill 118 has been stopped to some extent, and I want to congratulate all members who had some role in that rollback.

It is interesting because in this Hydro policy, as in the policy regarding the retail store hours issue or so many other areas, this government does not know what it is doing. On Monday the Premier himself stood up in this House and told me it would be inappropriate for him to prejudge the Ontario Energy Board review, that it would be inappropriate for the Premier to pass judgement on the salary question. He said that in this place but three days ago. I want to say that I am pleased to see that the Premier, in response to growing parliamentary and public pressure, has changed his mind. But let it not be lost that the Clampetts have moved from Beverly Hills to the Treasury bench at Queen's Park. This gang does not know what it is doing.

I want to say that we have seen now, in the last two or three weeks, the Hydro policy amended in two substantive ways. We saw a few weeks ago, happily, the Minister of Energy, the letter carrier from Kitchener, come forward to amend substantially the directive power which was altogether too sweeping, too broad and too intrusive. That directive power was a core of this policy, a policy that was to have been built on openness and accountability. Well, they have backed down, and rightly, on the directive power.

Today they come to the House and they rightly and properly back down on their role to set the chairman's salary. They are now accepting a responsibility that is rightly and properly theirs, so they want another amendment. I think they should start anew. I think they should recognize that the Premier's pal, who wrote this bill more in his own interest than in the public interest, sold them a bill of goods that they cannot defend in the broad public domain. I submit to my friends opposite that the time is now to withdraw Bill 118 and to start afresh.

Finally, I just want to ask one more question of my friends on the Treasury bench. They said a few days ago that Mr Eliesen would receive only a deputy's salary until the bill was passed or the OEB review was completed. I want to know, since they have now set a salary for him that in the end will be a doubling of his current salary—not bad in this age of restraint when in one fell swoop you can go from \$125,000 to \$260,000—is Mr Marc Eliesen going to be paid a deputy's salary, as they said he was, until this bill is passed or the OEB review is completed?

1410

SKILLS TRAINING

Mr Daigeler: In the response to the statement by the Minister of Skills Development, I think one observation is

in order. It is becoming clearer every day what the NDP stands for. As students said last week, it stands for "Never Deliver Promises."

Here is what the Treasurer said last May 15 in this House in response to a question by the member for Renfrew North, "We are working within government to put together a very serious proposal and effort on the whole question of training in the province." What we have seen today is old money of the province reannounced. All we have seen today is new money from the federal government. The minister this morning at the press conference acknowledged himself that the figure he is so proud of, \$700 million, is already presently in the estimates and that there is no new action, no new money, no new initiatives to get this economy going.

SALARY OF ONTARIO HYDRO CHAIRMAN

Mr Jordan: I too congratulate the Minister of Energy for taking the first step in bringing the salary of the chairman of Ontario Hydro under control, not only under control to some degree in a monetary sense but under control of the cabinet where it should be, rather than under the board that reports to the chairman.

The headline in the paper was, "Hydro Boss Pay Hike Cut," so really this is not a statement to the House; it is just a repeat of what has already been reported in the papers this morning. We cannot, as responsible opposition members, try to react to members of this government if we are going to have to react to press releases. We ask the minister to please make his statements in the House and then let the press pick them up from here. It will give us a better chance to assist him.

When the minister was referring to a monster out of control—or his government—I say to the minister, he is acting like a monster out of control because this afternoon he has revealed to this Legislature the salary of the president and chief operating officer. I do not think it was his intention to give us the salary of the president and chief executive officer of that corporation. I say the minister should not only withdraw Bill 118; he should resign.

SKILLS TRAINING

Mrs Cunningham: It is probably a rare occasion when a member of the Conservative Party has the opportunity to stand in the House and witness clapping by the members of the government for some legislation or program that was presented jointly today by the Minister of Employment and Immigration, Bernard Valcourt, for the federal government, along with the Minister of Skills Development for the provincial government. It was a great pleasure to see the progress that I think can be made when two levels of government work together.

I will also take this opportunity to advise members of the NDP government that they were the great critics, as they remember, of Bill C-21, the federal legislation on unemployment insurance. Today I think we have an opportunity to see the federal government put forth some \$383 million in new dollars for this year alone for training programs for people who are unemployed and people who are crying out for training programs.

I think that in government and in public policy we have to give credit where credit is due. I would like to thank, on behalf of our party, the Minister of Skills Development for doing just that today, for taking the high road and working together in this country and this province to train our people so that the young people and people who are unemployed can be retrained and this country can be competitive once again.

The colleges that lost some \$3.6 million from the treasurer's clawback recently will now see that money reinstated. It will give them hope and encouragement that the roles they are going to be asked to play in this brand-new agreement, which I cannot say enough about—it gives us an opportunity once again to see our colleges work with business, industry and labour, which is so necessary in providing the training programs.

At the risk of being overcongratulatory, I will also say that we will be watching very carefully how this program is implemented. We cannot tolerate programs being delivered in our colleges, our universities and our school systems that are perceived as reasonable, appropriate training programs but that are simply not appropriate in these times.

We will be relying on the next announcement from the minister with regard to the training board and we will be looking very carefully at that training board not being overly big and cumbersome, but getting from the front-line workers, the businesses, the industry, the people who rely on us to follow their demands for training—we will be relying on that board to make certain that it gives the kind of direction and the kind of dollars that the federal government has now presented to this province in the right way, so that training can take place where necessary and so that we are training our young people and unemployed workers in the skills this province needs to be competitive.

SALARY OF ONTARIO HYDRO CHAIRMAN

Mr Harnick: On a point of order, Mr Speaker: In the statement of the Minister of Energy, he has indicated that the new salary for Mr Eliesen is 80% of the salary of the president who runs Ontario Hydro at this time.

I believe that, by making that disclosure, the Minister of Energy has perhaps breached the Freedom of Information and Protection of Privacy Act. I would like to read the section and ask you to consider it and rule as to whether he has breached the freedom of information act, which may by necessity mean that he has to resign.

The freedom of information act, subsection 21(3), states:

"A disclosure of personal information is presumed to constitute an unjustified invasion of personal privacy where the personal information... (f) describes an individual's finances, income, assets, liabilities, net worth, bank balances, financial history or activities or creditworthiness."

It would seem that, according to the freedom of information act, the information that the minister delivered to this Legislature today is contrary to this act, and I would ask you to rule on my point of order.

Hon Mr Ferguson: On the same point of order, Mr Speaker: If the members opposite did their homework, they would know that Mr Al Holt, president of Ontario

Hydro, has agreed that the disclosure of his salary is in fact in the public interest.

Interjections.

The Speaker: Order. If I could have the attention of the members, please. Since it is not the responsibility of the Speaker to determine the veracity of statements made in the House, I will address the point raised by the member for Willowdale. Indeed, it is not a point of order that you raised, but you do have the opportunity to approach the Information and Privacy Commissioner, if you wish to do so, on this or any other related matter.

1420

ORAL QUESTIONS

HOSPITAL FINANCING

Mr Conway: I have a question to the Treasurer. It was in December 1990 that a Minister of Health in his government assured the hospitals of Ontario that the Bob Rae government would "support hospitals in their efforts to work out good relations with the nurses of Ontario." That comment was offered, quite understandably, at the time of the new nursing agreement in the province.

Today the Toronto Hospital announced significant layoffs and service reductions to the people of Toronto and of Ontario. The Toronto Hospital Corp cited, as the two principal reasons for these service reductions and the layoff of some 140 nurses, the Ontario Nurses' Association settlement and the provincial pay equity program.

Having regard to the fact that significant service cuts and layoffs are now being undertaken not just in Toronto but in communities right across the province, in Orillia, Windsor and Ottawa, what does the Treasurer, on behalf of the government of Ontario, intend to do to give effect to the commitments made by a former Minister of Health that the hospitals will be supported as they try to cope with both the ONA settlement and pay equity?

Hon Mr Laughren: I want to assure the member for Renfrew North that our commitment to the hospital sector in this province is strong indeed, and I do not think that the member for Renfrew North is suggesting that pay equity should not apply to the hospital sector. I do not think he was saying that.

I do not think the member for Renfrew North was saying that the hospital nurses were not worthy of an increase. I do not think he was suggesting that the hospital sector should have received more than a 9.5% increase in its transfer payment this year, which was higher than any other sector. So I am not sure what the member for Renfrew North is getting at, but I am sure I will find out in his supplementary.

Mr Conway: I thought Les Frost had parted from this world, but that answer makes me think he is alive and well and living in Nickel Belt.

I want to say to my friend the Treasurer, I only think what I know, and what I know today is that the Toronto Hospital Corp has announced significant service reductions and has announced the layoff of some 250 staff, over 50% of which layoffs are nurses. They cited as the two reasons for that significant reduction in service and staff

layoffs trying to cope with the nurses' settlement and trying to implement pay equity.

In December 1990, the Treasurer's colleague the Minister of Housing, the then Minister of Health, assured the hospitals of Ontario that the Bob Rae government would support them, particularly as they tried to deal with the nurses' settlement.

What specific measures will the Treasurer undertake or be undertaking to deal with the people, the patients and the workforce in Ontario hospitals who are this day being jeopardized because institutions which he promised to help in these two particulars cannot cope and are having to proceed in the way that I have indicated?

Hon Mr Laughren: I think it is an unfair characterization which the member for Renfrew North puts. It seems to me that when we announced a 9.5% increase in payments to the hospitals this year, we were indicating that we had a commitment to the hospital sector in this province, and that was true then and it is true now.

Having said that, I am concerned about any reduction in services that might result from any reduction in staffing in any hospitals across the province. In Toronto there are other hospitals and they are working together to make sure that the resulting increase in requirements for the other hospitals will be worked out among them. But I worry in particular about smaller communities where there are not a number of hospitals that can accommodate any kind of downsizing for whatever particular reason.

Finally, the Minister of Health is sitting down with this particular hospital and working out an arrangement by which service to the public will be maintained.

Mr Conway: I have said before that I have a great deal of respect for my friend the Treasurer and I do not doubt his sincerity in wanting to do something, but I repeat, on December 13 last year the then Minister of Health in the Premier's government made a very particular promise. The hospitals across Ontario expect that this promise is going to be kept, particularly as it relates to their efforts to deal with the nurses' settlement.

The Orillia Soldiers' Memorial Hospital has reduced services and started a process of laying people off. The Salvation Army Grace Hospital in Windsor is closing down services. The Metropolitan General Hospital in Windsor is doing the same. There have been layoffs at the Children's Hospital of Eastern Ontario. As of this day some 50% of all Ontario hospitals are in a deficit position.

To coin a phrase, what does the Treasurer intend to do specifically in the next few weeks and months to keep the promise made by the member for Ottawa Centre 12 months ago?

Hon Mr Laughren: I think we should also put things in perspective. I understand that at this time of year it is not unusual for hospitals to be showing a deficit.

I gather the Toronto Hospital's deficit is in the \$7 million to \$10 million range on a budget of, I think, about \$500 million. It is a very large budget and the deficit as a percentage of that budget, I think, is manageable but, regardless, the Minister of Health will be sitting down with

that particular hospital to try to work out a satisfactory arrangement.

Finally, I understand that in places such as Windsor, when there are problems with hospital funding, the hospitals then are required to sit down together and work out an arrangement whereby services are provided in a better and more cost-efficient way, which seems to me is absolutely necessary. As I said in my statement a couple of weeks ago when we reallocated \$600 million, if we are going to save medicare in this province and elsewhere, we have to control its costs.

ONTARIO ECONOMY

Mr Conway: I have a second question to the Treasurer and it concerns the state of the Ontario economy.

Just this day McDonnell Douglas announced layoffs, some of which are immediate and others of which will take place in the very near future, a total layoff, I believe, of some 1,450 jobs. The latest statistics on new home sales suggest a sharp decline of some 31% year over year. The latest retail sales numbers show a sharp decline in the month of August, the latest data that we have. The auto makers are complaining and reporting some of the worst sales environment they have ever known.

Is the Treasurer confident that the Ontario economy is responding to the medicine he prescribed on April 29? If he is not, what kind of additional measures does he intend to take to deal with what a lot of people continue to believe is a recession that is continuing almost unabated?

Hon Mr Laughren: We think that the economy is reacting as we thought it would, not just to the actions in the Ontario budget—I would not be so foolhardy as to predict that, by itself, that has caused the recession to end and we are now climbing out of it—but everyone has been predicting, including we in the Ministry of Treasury and Economics, as we did in the budget, that the recovery from this recession was going to be long and arduous and we have not changed our views in that regard. We think we are coming out of the recession; there are some good signs. But I can tell the member for Renfrew North that it is not going to be easy and we will be continuing to struggle with our expenditures as the recession ends and the slow recovery begins.

Mr Conway: The Treasurer, as I think all Treasurers are wont to do, looks for the positive signs, and I do not fault him for that. I am just again looking at what I can see before me. Retail sales continue to be sluggish. New home construction is not very optimistic; indicators are quite to the contrary. The auto sector is sluggish on a continental basis. It seems to me that those are three very significant indicators that the economy continues to struggle in recession.

In his second-quarter statement today I observed, among many things, that corporate tax revenues are off by some \$70 million relative to the budget plan. That too would suggest that the wealth-creating component of the Ontario economy continues to struggle in a real and measurable way.

Can the Treasurer elaborate on what exactly are the positive signs that he sees that would contradict the three or four data that I suggested speak to what is really going

n in the key wealth-creating, wealth-generating sectors of the Ontario economy?

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Hon Mr Laughren: There is no question that the economy is not recovering as robustly as we would like to see it recover. At the same time, it is not fair to characterize the economy as being different than we thought it was going to be. We forecast this kind of slow recovery in 1991.

There are some good signs on the horizon. On the housing starts, I am not sure the member for Renfrew North is correct. Inflation has dropped, which is allowing, we hope anyway, more investment in the province. The corporate income taxes to which the member refers are indeed down. I remind him that last year they were down over \$1 billion from the previous year. We predicted that this year, because of the slow recovery, we would not have the kind of gain in corporate tax revenues that we would like to see and that we think we will have in the next few years. There is no question that the recovery is slow.

Mr Conway: As we have seen in recent days, the newly dynamic party, of which my friend the member for Nickel Belt is the Treasurer, has shown itself to be as flexible and as supine as any political party in the history of Ontario. They have been prepared to reverse themselves on retail store hours. They have been prepared to reverse themselves on the Hydro policy. "Flexibility" is a new buzzword, obviously, at the cabinet table.

Having regard to the state of the wealth-creating part of the Ontario economy, which part of the economy is nearly apoplectic about the labour agenda of the Bob Rae-Bob White government, and having regard to our collective desire for a full and speedy recovery, would the Treasurer of the Bob Rae-Bob White government give an undertaking, if not to this House, at least to the wealth-creating part of the economy on whose back this recovery depends, that it is now prepared to do with the labour policy what it has done with the Hydro policy and the Sunday shopping policy, and that is draw back; apply some good judgement, some wisdom; at the very least put it on ice so that these people who are terrified about what the government's labour policy is going to do to the recovery will be able to catch a breath, create the jobs, create the revenue that will make this budget plan hopefully come in on target at a \$10-billion deficit, if we are all lucky?

Hon Mr Laughren: I appreciate the fact that the member for Renfrew North will feel lucky if we come in on target.

I want to assure the member for Renfrew North that before labour legislation is even introduced into this House there will be a discussion paper on our proposals and that discussion paper will be widely distributed. We look forward to hearing from people who are concerned about the unknown, I believe, as much as they will be about the specifics, or more than they will be about the specifics in the proposed labour legislation. We hope to have that distributed in the province in the not-too-distant future.

Finally, I am becoming a little worried about my friend the member for Renfrew North. So many of his comments

seem to hearken to the past. It is bad enough that Leslie Frost was a Tory, but now his utterances on the labour movement and his views about progressive labour legislation are driving me to think that perhaps he should move over a seat and join the Tory party.

GARBAGE DISPOSAL

Mr Villeneuve: I have a question for the Minister of the Environment. For the past five years residents of the town of Caledonia in Brant-Haldimand have been asking unsuccessfully for co-operation from her office in Hamilton. Valuable farm land in that area is being used as dump sites for industrial waste. In one case charges have been laid, but many more sites are in operation without certificates of approval. I am afraid our worst fears have come true. Farm land is now being saved for future use as garbage dump sites.

Will the minister agree to investigate immediately and direct her Hamilton office to put an end to this very unworthy use of our farm land?

Hon Mrs Grier: Perhaps in his supplementary the member can expand on whether he is talking about sites that have licences that are being contravened or illegal dumping on land that is not licensed to be a waste disposal site. In either case, I am more than happy to investigate. But I point out to the member that if a site is licensed to accept municipal solid waste, then it is illegal to accept industrial waste, and if in fact it is being dumped on farm land that is not approved as a waste disposal site, it is illegal, period. Perhaps he could give me more details, but I am more than happy to look into it.

Mr Villeneuve: I have just sent over with a page some information, a photograph and a copy of a letter from the ministry officials. This is the photograph of one of the illegal dumps. It is clearly a pile of garbage sitting on what seems to be valuable farm land.

Let me quote from a senior environmental officer in the ministry regarding this type of site, and this is the letter she now has: "It can be concluded that the owners are considered to be operating a normal farming operation."

From that photograph, that is not a normal farming operation. The minister should pass it over to my good friend the Minister of Agriculture and Food. I think he will agree it is not a normal farming operation. This is good agricultural land. Does the minister agree with her staff that this is indeed farm land and should not be a garbage dump site?

Hon Mrs Grier: Looking at the photograph that the member has sent to me, it looks to me like fill has been dumped in a wetland, so I know my colleague the Minister of Natural Resources will indeed be interested. As I said in response to the first question, I will certainly undertake to investigate and give an answer to the member.

Mr Villeneuve: I have further photographs and documentation that will prove that indeed it may be wetland but it certainly is valuable agricultural land. We do not know how much dangerous and toxic material is being dumped in that area, but the government is quite obviously allowing good farm land to be used as landfill sites. The ministry

obviously believes that our farmers are growing garbage. If indeed that is a farm, it is garbage that is growing there.

The residents in Brant-Haldimand are beginning to feel like the official dump site of Ontario. First it was Hagersville, and now the minister has documentation that I believe shows it is continuing. Will the minister please quit dumping on the residents of Brant-Haldimand and on some of our good land and look after her ministry's responsibility in this area? Can she promise this House that she will do that today?

Hon Mrs Grier: I can certainly promise the member that the use of class 1 agricultural farm land for a waste disposal site is not appropriate and that in seeking waste disposal sites, that is not a course I will choose to follow if alternatives are available. What he has given me is a photograph of some fill in a pond. I do not know the circumstances. I do not know the location. I do not know the background to the correspondence the member has passed to me. As I said before, I will look into it.

SKILLS TRAINING

Mrs Cunningham: My question is for the Minister of Skills Development. I would like once again to congratulate the minister for his negotiation of a Canada-Ontario labour force development agreement with the Honourable Bernard Valcourt, the federal Minister of Employment and Immigration.

At the press conference this morning, the minister indicated that this is a landmark agreement, and we agree. The federal government will spend \$846.1 million in 1991-92. Members of this House should know that this is an 83% increase over last year. Those are federal dollars for training. We are happy to know he agrees that is a good idea.

When combined with the \$751 million, there will be \$1.6 billion spent on training in Ontario. Everybody is excited about that, including the business community, the education community and the training institutions. Now that we have these resources, we need to ensure that the dollars are spent effectively.

The minister stated that he will be creating an Ontario Training and Adjustment Board to restructure training delivery. When will he release his consultation paper, which I assume was his first step? When will the training and adjustment agency be in place so that these dollars can be spent?

1440

Hon Mr Allen: I thank the member for her generous response to the initiative. I also know of her continuing deep concern about training problems in Ontario. I want to say to her that it is my intention at some point midmonth in November to release the Ontario Training and Adjustment Board consultation document, which will be followed by roughly three months of very careful consultation so that we are sure we have precisely the kind of structure that this province needs.

Coincident with that, in terms of the agreement I signed today, there will also be a consultation around the structure of local boards in which all communities and all participants in communities concerned about training will be asked to give us their views as to how best those boards

might be structured in order to deliver training in all the local communities across Ontario so that the dollars from the province and the federal government will be used for the maximum benefit of this province.

Mrs Cunningham: One of the main criticisms about the delivery of training programs in Ontario is the amount of bureaucratic red tape and program overlap. We need to be more efficient in the delivery of our training so that the money is actually spent on individuals so they can participate in our workforce. I was pleased with your response just now and I was also pleased to see that the federal-provincial agreement released today will reduce the amount of overlap between federal and provincial training programs. That is great.

We need the same streamlining at the provincial level and not more bureaucracy. If we create this Ontario Training and Adjustment Board, as we both understand it, will we then be eliminating the need for the Ministry of Skills Development?

Hon Mr Allen: It is too soon to talk of the actual restructuring that will take place in government as we go through the evolution of the delivery of responsibilities, the form the new board will take and the form the local delivery mechanisms will take. With respect to that undertaking, we are putting in place some very innovative, new human resource initiatives in order to make certain there is not displacement of personnel, that skills are maintained and that people will remain in place throughout this whole major undertaking.

If that is the point of the member's question, we paid a great deal of attention to that. We have some very innovative and highly creative mechanisms that have not been used in this province to date for dealing with that.

Mrs Cunningham: I look forward to seeing that in the very near future. I was also encouraged to see that the agreement reaffirms the importance of colleges in the delivery of training programs. Now we need to ensure that their programs are more relevant to the needs of the community, one of the great criticisms.

Three weeks ago I met representatives of the London Industrial Training Advisory Board and General Motors and they were concerned that our education systems—and I put an “s” there—are not producing the number of technically trained workers that Ontario industries require. They want strong linkages established between educators and industry. Technology is rapidly changing and industry has its state-of-the-art equipment while many colleges struggle with antiquated relics. That fact alone demonstrates the need for business and colleges to work together.

I ask the minister what changes he will be introducing to ensure that when a specific business advises that it needs 30 highly skilled mechanics, for example, our college system will be required, and I underline “required,” to work directly with that business, industry or labour group to make certain that we train those specific individuals today.

Hon Mr Allen: One of the first things that will be undertaken by the new Ontario Training and Adjustment Board, for example, will be the establishment of a major

unit that will deal with best practice in training, which of course will be available to all trainers, including the college system in terms of the research that is undertaken into best practice in all fields of training.

Second, the colleges will have their own more dynamic and better-resourced interface between themselves and new sectoral training agreements for the provision of training capacity industry by industry. That certainly will be a further enhancement of the kind of co-operative structures that presently are in place whereby businesses and industry advise the colleges about the need for local training programs and how they might be sponsored.

I would also observe that all through this structure there is a new emphasis upon not just bipartitism but the co-operation of labour, employers and community entry and re-entry groups that are concerned about those who are not in the employment market today, so that by the combined efforts of all those working with the college system on the new local training boards, for example, there will be a better mix of initiatives, ideas, enthusiasm and research in order to heighten everybody's capacity in the whole training field.

ELEVATOR INSPECTIONS

Mr Ruprecht: I have a question for the minister whose name now appears on most of our elevating devices in the province. I am looking at a report by her own employees, the Ontario elevator inspectors, and I read with utter amazement what they said, that when you ride in an uninspected elevator you are placing yourself at risk; in other words, you are in danger. I am shocked to read what the minister's chief engineer in charge of elevators said at the inquest where two people were crushed to death by elevators, "We do what we feel is the bare minimum to do."

When I step into an elevator I see displayed the minister's licence and her signature, and I am led to believe that I am safe. Is the minister not misleading the public by making people think they are safe when in fact they are at risk?

Hon Ms Churley: Safety is the primary concern of the Elevating Devices Act and it is a primary concern of mine, not just because my name is up there in big letters. I regret writing it so legibly at this point, however.

First of all, I want to correct a misconception that I think has recently come out of the member's statement and an earlier statement in the press. I want to assure people that elevators cannot crash. There are so many safety devices built into the elevators that I want to assure people they should feel safe in riding them. Serviceability is another issue—I come from Toronto city council, originally—that I believe we have to do some work on. It is quite true that the ratio of elevator inspectors has gone down in terms of elevators. In fact, as the member's press release pointed out this morning, in 1989, when the Liberals were in power, most of the serviceability problems started to happen.

I am working on that with a comprehensive, multifaceted approach, dealing with inspection of elevators so that the oldest ones are inspected first so there is therefore less

of a chance that elevators will have to be shut down for maintenance reasons.

Mr Ruprecht: I want the minister and the House to know that her boss said just over a year ago, "Why are we"—that is the government—"sitting on our rear ends when the problem is so big and so scary out there?" She has been sitting there for over one year now and what she has accomplished up to now simply is not good enough.

I want to provide her with some facts that will open her eyes. In 1978, as she said, there were 70 non-fatal elevator accidents; in the last three years there were six that were fatal, and in 1989 the non-fatal accidents grew to 1,000. In the city of Toronto alone, in 1989 and 1990, 1,300 accidents were reported where our fire department was called in to rescue 2,288 people. They were all affected by elevator accidents. That is putting it nicely, since some people were seriously hurt.

The minister cannot continue to keep placing people at risk, as she says. The problem is getting progressively worse. When will she agree to a key request by most of the municipalities that a standard elevator maintenance contract between the owner of a building and a bona fide company be established to get rid of this problem and place people in safe situations?

1450

Hon Ms Churley: The member is in fact not correct. The act already requires that owners have regular maintenance inspections done by a contractor registered with my ministry. I am aware that there have been problems and that we need to make sure it works, but that is already in place, I am happy to say.

Mr Ruprecht: It is not in place.

Hon Ms Churley: It certainly is in place and I will be happy to show the member where after question period today. I have already explained to the member that I am certainly very concerned about safety, although I think maintenance is often the problem, and I am concerned about elevators having to be shut down for maintenance purposes. Because there is no way we can inspect every elevator every year, I think this comprehensive approach to inspections is very important so that we can keep our eye on the oldest elevators and the elevators with the biggest problems, and make sure we target our inspections carefully to avoid breakdowns and the maintenance problems that are already there.

To finish, in order to deal with this problem we are already in the process—this did not happen under the Liberal government when the problem really grew—of training new inspectors at this time because there is a shortage in this province.

Mr Ruprecht: On a point of privilege, Mr Speaker: I want the minister to have a letter from the Ministry of Housing saying there is no provision in legislation. The minister does not know what she is talking about and I think she should get up and either resign or do something about keeping people safe.

The Speaker: It is not a point of privilege.

LAND REGISTRATION

Mr Tilson: I have a question for the Minister of Consumer and Commercial Relations. For the past several weeks, I have been asking the minister questions on the proposed new Polaris land registry system being conveyed to private hands. We have been trying to find out particulars of this contract the government has entered into, which was negotiated by the Liberal government and finally signed by this government, and the minister has indicated that she is not going to produce it. We have been trying to find out how much this agreement is going to cost the taxpayers of this province and she will not provide specifics.

All this is very mysterious and I therefore have a further question today on this subject; it remains the ownership. Who owns this company, Real/Data Ontario? Last fall it was reported in the Financial Post that there are 30 owners, but the president of Real/Data could not disclose the list at the government's request. It is difficult to know who these people are. In this same article a government alliance spokesperson, Bonnie Foster, did reveal four of the partners of Real/Data, but for some unknown reason she was unable to reveal the remaining 26. She did promise to disclose the remaining 26 after the details of the partnership agreement were finalized. The difficulty is that this government will not produce the contracts.

The Speaker: We need a question.

Mr Tilson: The details have been finalized for some time now and I would like to know who the other 26 owners of Real/Data are.

Hon Ms Churley: Once again, the member's statement before his question is in fact not correct. First of all, this deal was not made in secret and as I have already stated I am happy to make a copy of the agreement between RDO and the province available to the member through the Freedom of Information and Protection of Privacy Act of my ministry. I am happy to release that to him at any time.

In terms of the partnership, which is an equal 50-50 partnership between RDO and the province, there is a 10-year agreement with equal investment of \$5 million each to begin with at the government's and RDO's signing, and another \$24 million each at the call of the board. All the profits and dividends will be shared equally.

Interjections.

The Speaker: Before the supplementary, I remind the member for Etobicoke West that his quite valued contributions should best be made from his own seat.

Mr Tilson: It is fine for her to tell us these details and produce the agreement, but the question is, who are these people? Information is now available that has been told to us that this land registry system being proposed, the Polaris land registry system, may have more errors with respect to the computerized system than there will be with the current system and that indeed the Polaris system may not even work.

Why is the minister implementing a new land registry system when she does not even know what it will cost; that will perhaps result in the closing of more registry offices;

that will be owned and operated by unknown people, many of whom we believe are not even Canadians; that will result from a contract she has signed with unknown people, a contract that will cost the taxpayer unknown millions of dollars; a system that she does not appear to be aware of, the details of the partnership—at least she will not tell us those details—with this unknown group of people, and a system that may not even work? Why is she implementing such a system?

Hon Ms Churley: I think the member got most of his facts from a TV program that I have already pointed out was inaccurate.

This partnership is a good deal for the province. This government has done extensive internal and external reviews. It is going to implement state-of-the-art technology which is going to be the leading edge of this technology in the world. It is going to provide up to 2,000 new technology jobs in this area. It is not going to close down any land registry offices. In fact, it is going to provide them more quickly with more up-to-date information. I can assure the member that this has been well examined, and it is a good deal for the province, saving the province money and providing lots of jobs. This is what the Tories want to see more of: partnership between private industry and the government. This, I can assure the member, is a very good deal.

SKILLS TRAINING

Mr Sutherland: I had the pleasure this morning of attending a session where a document was released called Canada at the Crossroads: The Reality of a New Competitive Environment. One of the comments in there was about skills development. It said, "The level of advanced skills in Canada, critical to sustaining and upgrading sources of competitive advantage for Canadian industry, is inadequate."

My question is for the Minister of Skills Development on the announcement made earlier about the new Canada-Ontario labour force development agreement. I am quite sure many people in Ontario, particularly in my riding, will welcome that announcement as part of this government's strategy for economic renewal over the long term. One of the campuses of Fanshawe College is in my riding, so I would like to ask the minister on behalf of my constituents if he could give us some indication what type of impact this will have on Fanshawe College as a whole.

Hon Mr Allen: I am very happy to respond on the ways in which this will impact on a locality such as the London region and on Fanshawe College in particular. There are two ways in which dollars will flow out of this agreement into local communities. One is through the community industrial training committees that exist in many of our local communities and the other is through the college system.

First, there will be 50% more dollars available to the CITCs to respond to local businesses and groups that make proposals to the CITCs for training programs of one kind or another. It will be possible for those groups and for the local training boards which will in future succeed them to respond to those requests much more generously and effectively.

Second, there is the question of Fanshawe College which, as part and parcel of the college system, will share the \$104 million which will be available to that system for training purposes and which it will be able to bid upon. As I explained this morning to questions of this kind, a number of details in the agreement give some special place to the colleges in the ways in which they can access that money.

Mr Sutherland: In the training that has gone on in this province, there has been a very long tradition that a great deal of that, particularly technical training, has been provided by the college system. I wonder whether the minister could comment on what guarantees there are that the colleges, as public institutions and with a mandate to provide training, will still be playing the most significant role in the area of training within this province.

Hon Mr Allen: I do not think there is any question but that the college system will remain the major deliverer of training programs in this province. In point of fact, they have been existing in a competitive environment for some time, because the federal government has been increasingly diverting its dollars towards private sector contracting for training. The interesting thing that has been happening, and which I think most people do not know, is that the college system in Ontario has been bidding on those projects and has been winning 90% of the contracts. So the colleges have the necessary expertise, both in specific training programs and in the generic, backup skills training programs, to match together for effective training in Ontario. They will continue to do that, and they will do well.

500

RED HILL CREEK EXPRESSWAY

Mr Mancini: My question is for the Minister of Transportation. Yesterday during the estimates of the Ministry of Transportation, I used my limited time to question the minister on the Red Hill Creek Expressway, which was cancelled by the NDP government, leaving the region of Hamilton-Wentworth out in the cold. The government promised at the time that a review would be undertaken and that terms of reference for this review would move forward.

We were shocked to learn yesterday that fully 10 months had gone by and, as staff from the ministry informed the committee, the terms of reference had not been approved by the government. We were told it would take another eight weeks to work out the terms of reference. This morning the minister met with regional representatives to in fact sign such terms of reference. They were shamed and embarrassed into signing the terms of reference.

We were surprised to learn that the study will include a review of alternative routes through the Red Hill Creek area itself. Will the minister now confirm that a route through the Red Hill Creek area is back on the table, and will he then explain why the government wasted a year and millions of dollars and cost thousands of jobs in delaying construction and scrapping the Red Hill Creek Expressway project?

Hon Mr Pouliot: Indeed we reached an agreement this morning. I would like to get the critic's attention because I will try in a word or two to meticulously explain to him—if he is receptive, with respect—what has taken place.

The north-south agreement will look at alternatives to the Red Hill Creek Expressway, and the provincial share will remain 70%. What the committee, which is the Hamilton-Wentworth region and the government of Ontario, that is, the Ministry of Transportation, have committed to is the following, to seek an alternative within the next six months. If an alternative is not found, the region of Hamilton-Wentworth has the possibility of coming back with the original proposal. What we are committing ourselves to do—let me focus here—is to look for alternatives in the north-south.

Incidentally, in terms of the commitments for east-west, the 50-50 share is still on the table. It was a good partnership. The reason for the delay is that the region opted for the possibility of seeking legal ramifications, to see what it means in the legal sense. That is why it took a long, long time. I know the critic of the opposition will wish to share with me in commending all parties involved.

The Speaker: Would the minister conclude his response, please.

Hon Mr Pouliot: We now can look to the future with a great deal of confidence and with a reasonable and comfortable timetable.

Mr Mancini: I want to remind the Legislature and the minister that his predecessor rose in his seat and said the Red Hill Creek Expressway was cancelled because it was a moral decision. Where is this government's morality today? That is what I want to know. Where is its morality today?

What we have witnessed today is the most cynical of politics. I submit that the reason the Red Hill Creek Expressway is back on the table is because, as was printed today in one of the local journals, "Red Hill is somewhat of a red flag for Hinkley," an NDP candidate for mayor in Hamilton.

Interjections.

The Speaker: Order. Does the member have a supplementary?

Mr Mancini: Tens of millions of dollars in business investment are at stake. Thousands of construction jobs and new jobs in new businesses are at stake. Will the minister stop playing games with the future of the Hamilton-Wentworth region, and will he allow the Red Hill Creek Expressway to go ahead as planned?

Interjections.

The Speaker: Order. We will just wait.

Hon Mr Pouliot: The supplementary indeed has been put and I am sure the opposition will have the decency to let me answer. The commitment is ongoing. What we are talking about here is an alternative to the first proposal. We are hopeful that the facility can go forward and can be approved within a period of six months.

It is not complex. One need not be a mathematical genius emanating from Windsor or Harvard to understand the simplicity. If the member looks for positive results, hard work, dedication, commitment to seeking an alternative, he will find it in the agreement. However, if he does not choose to read it, then with best wishes—we start on the premise that the cup is half full, never half empty. This is a positive organization responding to positive alternatives. All systems are go. We are looking forward to it.

LABOUR LEGISLATION

Mr Carr: My question is for the Minister of Industry, Trade and Technology. Over the past little while, as part of my critic's position, I have been consulting with business. One of the big concerns that has come up is in regard to the Labour Relations Act amendments. I would like to quote a couple of replies I have received, one from a major manufacturer with 250 employees in my riding.

"Gary, as you know, we are hanging on by our teeth. Our US shareholder has seen the proposed legislation and is appalled. All this is just one more 'nail in the coffin.'" There are 250 employees with that company.

Another small employer in my riding says, "As an owner of a small business in Oakville struggling to survive in this recession, if the labour reform law is passed, I will be getting rid of my eight employees." I would like to send this over to the minister to take a look, if one of the pages would be so kind.

Due to the reaction of business, which has been negative, and due to the fact that the minister represents industry at the cabinet table, I was wondering if he could enlighten this House on how he feels about some of the proposals under the labour reform amendments.

Hon Mr Philip: I addressed an almost identical question at the Toronto board of trade at lunch hour. I can say that if the honourable member—

Mrs Caplan: "You don't like our principle, we got other principles. You don't like our morals, we got other morals."

The Speaker: Order, the member for Oriole.

Hon Mr Philip: If the honourable member for Oriole would allow me to speak over her squeaking, I would be happy to do so.

The Speaker: It would be appreciated. The minister has the floor.

Mrs Caplan: I didn't say a word.

Hon Mr Philip: The member for Oriole says she did not say a word. She does not say a word; she squeaks, squeaks, squeaks over the voices of the rest of us.

Mrs Caplan: On a point of privilege, Mr Speaker: I am very concerned that the former Minister of Transportation is very red faced today because of the acrobatics of the new Minister of Transportation over the Red Hill Creek Expressway—the new morality, the new policy, the new principle, which is an embarrassment to this Minister of Industry, Trade and Technology. In his attempt to discredit me personally, I am offended.

1510

The Speaker: It is not a point of privilege, but it would be very helpful if the Speaker could hear both the question and the response. So if all other members in the House could come to order, I would ask the minister to move on quickly with only his response to the question asked.

Hon Mr Philip: To the honourable member who asked the question and who, I know, is interested in the response, the Ministry of Labour has produced, in co-operation with the rest of the cabinet, a discussion paper that will go out and have full input from both business and industry and communities.

We are confident that there are some very substantive issues contained in that paper that the business community will want to provide input on. Indeed, the business community, through me, through the Ministry of the Environment, through the Minister of Culture and Communications and other ministers, has had considerable input already into some of its concerns. Those will be reflected in the paper.

There will be a full and open discussion of that paper, followed by legislation that will go to committee. The people in the business community will have a full opportunity to propose amendments, changes and improvements when that happens. I can tell the member, as I assured the Toronto board of trade today, that we are open to any constructive suggestions and I can tell him that the board and other members of the business community are preparing some very positive ideas that we hope will be useful to us.

Mr Carr: I have copies of a couple of those positive ideas from the More Jobs Coalition, which put together a package, and the All Business Coalition. The fact of the matter is that since this cabinet document came out, the business community is spending a great deal of time and countless thousands of dollars producing some information as a result.

One of the problems is the uncertainty around these proposals that have come out. They have taken a look at them, taken the worst possible case, and, as the minister will see from some of the comments there, the people who are looking at the proposals are extremely concerned, extremely scared. As a result of all the efforts that are being put in, the countless hours and the thousands and thousands of dollars being spent on this campaign, could the minister today enlighten the business community a little bit further about what direction he would like to see and how this will affect his plans for the future for industry and trade? Could he get rid of some of the uncertainty and give us some details on what he would like to see happen with regard to this piece of proposed legislation?

Hon Mr Philip: As I outlined to the Toronto board of trade today and to other business groups, we are developing a number of proposals that, unlike those of our federal colleagues, will develop—

Interjections.

The Speaker: Would the minister take his seat for a moment, please. It would be very much appreciated if all members, in particular the member for Oriole and the

member for York Centre, could resist the temptation to be overexuberant. Your active participation in this assembly is always welcome, but at this very moment, I am attempting to hear the response from the minister. I am having difficulty hearing it.

Mr Sorbara: Where did he have lunch? I hope it was with the board of trade.

The Speaker: It was not with me, nor am I interested in where he had lunch.

Hon Mr Philip: The honourable member wants to know who I had lunch with. I have had lunch with a lot more people around this province as a cabinet minister than he ever had lunch with or ever consulted with. The members of the business community know that.

The Speaker: Would the minister respond to the question.

Interjections.

The Speaker: Order. I asked the House to come to order. Before we start discussing menus, perhaps the minister would help things by addressing only the question placed, which I do not believe had anything to do with where he went for lunch.

Hon Mr Philip: I think I was commenting on the number of people I was consulting with, not how many people I had lunch with. To the honourable member for Oakville South, we are consulting with the business community. We have worked out the needs for the basic models to develop a co-operative model between business, labour, industry, the community and government. Indeed he will find that companies such as the one that is investing some \$200 million to expand some very high-tech technology in his riding are the kinds of companies that have developed a very successful formula of bringing about co-operation and partnership between business, labour and government. We are working with companies like that to create jobs in Ontario.

TIMBER INDUSTRY

Mr Waters: My question today is to my dear friend and colleague the Minister of Natural Resources. It has become almost a habit for me to ask this dear minister a question. He is very important to my riding.

As many members of the House are acutely aware, the Ontario forest industry is in very serious difficulty. The problem that developed at Spruce Falls and Kapuskasing is not isolated. A number of medium and large sawmills are in trouble.

Members will also know that direct forest industry employment is critical to northerners because across the north some 32,000 people rely on this industry for their employment. Many smaller northern communities rely solely on the forest industry for their livelihoods. Could the minister please tell me what he is doing to ensure that these issues are addressed?

Mr Stockwell: It isn't a letter.

Hon Mr Wildman: I guess the member was referring to a letter he has written to me. I recognize his concern. I hope all members of the House recognize that we are fac-

ing a very difficult state in the Ontario forestry industry. Both the lumber mills and the pulp and paper mills are facing serious difficulty and are under difficult financial pressure.

The Premier has directed me to lead a team effort to deal with this crisis, and I would like to let the member know that a number of my cabinet colleagues and I will be meeting with leaders of industry and labour next Monday, October 28, here in Toronto. It is my hope that this meeting will foster a co-ordinated, co-operative approach to enable us to start to move forward to deal with these difficult times.

Mr Waters: I would like to thank the minister profusely for his answer. I am certain that the people who rely on the timber industry are greatly appreciative of his answer.

There is no question that the high value of the Canadian dollar and high interest rates and the recession have weighed heavily on the industry's fortunes. I ask the minister for his insight in terms of the future of the industry and how we will come out of this recession.

Hon Mr Wildman: The member has mentioned two of the difficult problems facing the industry, the high value of the Canadian dollar and the high level of interest rates.

Mr Conway: And the countervail.

Hon Mr Wildman: The member for Renfrew North refers to another serious difficulty that is also facing us, the American reaction to the withdrawal of the memorandum of understanding which imposed an export tax on softwood lumber.

Those are causes of concern, but there is an overall structural problem. The industry in Ontario is a high-cost producer, first, and also we have seen a virtual collapse this year in new investment in the industry. The planned investment in Ontario mills is only \$150 million over the next five years, compared with \$1.5 billion planned over the next five years in each of Alberta, British Columbia and Quebec. Investment is critical if the industry is to compete in the marketplace and to improve productivity and competitiveness.

I want to say, though, that I know very many members in southern Ontario do not recognize the importance of the forestry industry in this province, but all of us recognize that there are no quick fixes to this problem. I hope the tripartite meeting we are having next week will be the first step in a process which will enable us all to co-operate in looking at new ways to improve investment in the industry and to improve the competitiveness of the Ontario lumber and forest industry.

1520

Mr McClelland: On a point of order—

The Speaker: Just wait a minute. That was indeed a very important question. It was also quite lengthy for both the question and the supplementary, and I will allow one question with one response.

BORDER COMMUNITIES ASSISTANCE FUND

Mrs Y. O'Neill: I agree with the Speaker's comments about the length of the questions and answers. My question is for the Minister of Revenue. Over the past week, two separate ministers of this government have mentioned the existence of a community assistance fund of \$5 million

which has been set up to help Ontario's border communities implement their own initiatives to counter the cross-border shopping crisis.

The minister certainly must realize that \$5 million is almost an inadequate sum in the face of more than 14,000 jobs which have been lost, by this very government's own estimates, and this has been a direct result of cross-border shopping. It is even less impressive given the insistence of the Treasurer that he will categorically not—

The Speaker: And the question?

Mrs Y. O'Neill: I am giving facts and figures. I am not lecturing. The Treasurer has categorically refused to reconsider imposing further gasoline tax increases on January 1, 1992. The comments and answers given by these two members of the NDP cabinet—

The Speaker: Would the member conclude her question, please.

Interjections.

The Speaker: I ask the government benches to remain quiet so that I can hear the question. I ask the member to quickly place her question.

Mrs Y. O'Neill: The community assistance fund has not been described to this House with any clarity, direction, criteria or allocation. Has any community in this province received an allocation from the community access fund which we are talking about? Would the minister please present, in a clear fashion, the process of application these communities must follow if they are going to access this \$5-million fund which is so often mentioned without any detail?

Hon Ms Wark-Martyn: I would love to answer this question, although it is under the Ministry of Industry, Trade and Technology. I will forward it on to the Minister of Industry, Trade and Technology.

Hon Mr Philip: I answered that question a few days ago in response to another member's question, but I would be happy to repeat it.

The member had a two-part question. One was, are there applications in? Yes, there are a number of applications from different communities and they are being processed and considered at the moment.

The process is for the local community group, which I outlined in my answer to the previous question, to form a committee to come forward with a series of proposals. Each of those proposals will certainly be considered for funding.

The Speaker: The time for oral questions has expired.

Mr McClelland: On a point of order, Mr Speaker: The Minister of the Environment will be introducing legislation this afternoon. We have been around this bend so many times it really bothers me to have to stand on this point, but of all people, the Minister of the Environment, somebody who regards the traditions of this place well and who, I am sure, has—this must be very difficult for her. I presume it is some directive from the Premier's office. She will be introducing legislation that is vitally important to people in the greater Toronto area. I cannot believe that the legislation is being introduced—

The Speaker: What is out of order?

Mr McClelland: This rightly calls for a statement and it is contrary to every tradition that there was not a statement made by the minister that this legislation would be introduced later.

The Speaker: There is nothing out of order.

NOTICE OF DISSATISFACTION

Mr Ruprecht: Pursuant to standing order 33(a)—
Interjections.

The Speaker: Order.

Mr Ruprecht: I will have to shout across the way because no one—

The Speaker: No. Would the member for Parkdale raise his point of order.

Mr Ruprecht: Thank you very much, Mr Speaker, and I thank the House leader.

Pursuant to standing order 33(a), Mr Speaker, I wish to advise you of my dissatisfaction with the response—

Interjections.

The Speaker: Order. Would the member for Parkdale take his seat. The member for Oriole is asked to come to order so that one of her own colleagues can raise a point of order with the Speaker.

Mr Ruprecht: Thank you, Mr Speaker. I appreciate your assistance in quieting this House.

The Speaker: Would you proceed with your point of order.

Mr Ruprecht: This is the fourth time, Mr Speaker. I am trying. Pursuant to standing order 33(a), I wish to advise you of my dissatisfaction with the response of the Minister of Consumer and Commercial Relations to my question on elevator accidents. The reasons for my dissatisfaction are the minister's misunderstanding of the legislation and misinterpretation of the Elevating Devices Act. I expect she would be here tonight at 6 o'clock to answer the questions properly.

The Speaker: The member will no doubt file the necessary document with the table.

REMARKS BY MINISTER

Hon Mr Philip: On a point of order, Mr Speaker: If the member for Oriole found the remarks I made about the noise and interjections she was making to be offensive, I therefore withdraw those remarks to her and apologize if she found those remarks to be offensive. I hope she would also understand that her interrupting of me so that I could not answer the member for Oakville South was also offensive to me.

Mr Ruprecht: Since the minister is in such a generous mood, I recommend that if the Minister of Consumer and Commercial Relations gives me a different answer, I will withdraw my recommendation as well.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Mr Cooke moved that, notwithstanding any standing order or previous order of the House, Mr Grandmaitre and Mr Daigeler, and Mrs McLeod and Mr Sorbara exchange

places respectively in order of precedence for private members' public business and that the requirement for notice be waived with respect to ballot item 44.

Motion agreed to.

SELECT COMMITTEE ON ONTARIO IN CONFEDERATION

Mr Cooke moved that the order of the House of Thursday, December 20, 1990, appointing the select committee on Ontario in Confederation, as amended on Thursday, June 27, 1991, be further amended by striking out "November 25, 1991" and substituting "February 5, 1992" therefor.

Motion agreed to.

INTRODUCTION OF BILLS

WASTE MANAGEMENT ACT, 1991

LOI DE 1991 SUR LA GESTION DES DÉCHETS

Mrs Grier moved first reading of Bill 143, An Act respecting the Management of Waste in the Greater Toronto Area and to amend the Environmental Protection Act.

M^{me} Grier propose la première lecture du projet de loi 143, Loi concernant la gestion des déchets dans la région du grand Toronto et modifiant la Loi sur la protection de l'environnement.

Motion agreed to.

La motion est adoptée.

Hon Mrs Grier: This legislation implements the government's plan that was announced last November to solve and manage the waste crisis in the greater Toronto area and to accelerate and broaden 3Rs programs province-wide. It will give legislative powers to the Interim Waste Authority to continue its search for and environmental assessment work in support of three long-term landfill sites within the GTA.

It also deals with the waste disposal gap within the GTA by giving additional legislative authority through the recently issued minister's orders to extend the life of Peel region's Britannia Road landfill site and Metro Toronto's Keele Valley landfill site. The legislation will also amend the Environmental Protection Act so that the government has regulatory authority to reach its waste diversion targets of at least 25% reduction in municipal waste going to disposal in 1992 and at least 50% reduction by the year 2000.

1530

MINISTRY OF AGRICULTURE AND FOOD STATUTE LAW AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT DES LOIS RELEVANT DU MINISTÈRE DE L'AGRICULTURE ET DE L'ALIMENTATION

Mr Buchanan moved first reading of Bill 144, An Act to amend certain Acts administered by the Ministry of Agriculture and Food.

M. Buchanan propose la première lecture du projet de loi 144, Loi modifiant certaines lois dont l'application relève du ministère de l'Agriculture et de l'Alimentation.

Motion agreed to.

La motion est adoptée.

Mrs Caplan: On a point of order, Mr Speaker: It is a tradition in this House for the critic to receive a copy of the minister's bill when it is being tabled. In light of the fact that there was no statement that the minister would be tabling this bill, I as critic for the greater Toronto area, for which this bill has great significance, would appreciate the courtesy of receiving a copy of this bill before the minister proceeds. The government House leader and the ministers wonder why we in opposition occasionally get a little frustrated. They have had over a year—

The Speaker: Would the member take her seat, please. It is not in the standing orders to distribute copies of a bill before it is introduced. I believe it is a courtesy to distribute background information, but certainly not the bill itself.

Hon Mr Buchanan: I wish to introduce this omnibus bill which amends the Beef Cattle Marketing Act and the Milk Act.

The purpose in amending the Beef Cattle Marketing Act is to remove the upper limit on the checkoff licence fee and provide enabling legislation for the proposed national beef checkoff system. The act was enacted in 1968 and has been amended from time to time to increase the upper limit on the checkoff licence fee. The checkoff system provides a low percentage of the sale price of each head of cattle directly to the Ontario Cattlemen's Association for promotion of the beef industry. After consultation with producers, the OCA has requested that the upper limit be removed and that provision be made for co-operation in a national beef checkoff system.

The second part of the bill is to amend the Milk Act to increase the upper limit on the producer levy for the Ontario Dairy Herd Improvement Corp from three cents a hectolitre to six cents a hectolitre, to be implemented over a three-year period. The Ontario Dairy Herd Improvement Corp is a producer organization that provides information on herd management and health and is used as a marketing tool for breeding stock. It was government-funded until 1981 and is now funded by milk producers, the federal and provincial governments and the Ontario Milk Marketing Board. Because of increasing operating costs and an anticipated decrease in government funding, the ODHIC and the Ontario Milk Marketing Board have requested that the upper limit on the levy be increased.

The amendments introduced today will enable Ontario's beef and dairy industries to maintain their competitiveness and high standards. I urge all members of the House to support this bill.

ORDERS OF THE DAY

INTERIM SUPPLY

Mr Laughren moved resolution 28:

That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing November 1, 1991, and ending December 31, 1991, such payments to be charged to the proper appropriation following the voting of supply.

Mr Bradley: I welcome the opportunity to speak on this particular issue because there is so much flexibility. The ability to speak on virtually anything on interim supply is extremely attractive to me.

As we change Speakers, I want to compliment the Speaker on his wise decision today, his flexibility, his reading of the situation in permitting the final question that was allowed.

It is very interesting to talk about interim supply because it is one of the tools an opposition has in a democratic system and one that cannot be influenced, even by OPP investigations. It is one of the tools that can be used by the opposition to call the government to account, because the government needs money to function, to pay the cabinet ministers \$90,000 a year, to pay all the parliamentary assistants their additional amount of money, many of whom were recipients of increases in pay by virtue of their election to the House. We know we will need considerable sums of money for those purposes. I will not dwell on that at any length. It is always attractive for the opposition to be able to mention that at the very least.

I do want to talk about some of the problems confronting this province, and this government as well. I have noted some interesting writings that have come to my attention about this government. Some of the columnists who are writing about the government are not people who are now attacking it from the right—we expect the government is going to be attacked from the right—but are people who are attacking from the left. The reason for this is that these are people who very much believed in the New Democratic Party, in the platform on which it ran, and in what it stood for in opposition and what socialists traditionally stand for. They see some erosion of that point of view now that the government has assumed office. They see that what you see is not what you get.

The NDP used to portray itself as a party that was different from the others, as one that was not slick and obsessed with making itself look good, but rather one that would do what was right for the people of Ontario, one that would keep all of its promises and one that was on a higher ethical and moral level than all other political parties. If there is anyone left in Ontario who believes that, those people are naïve or members of the government at the present time, who have a vested interest in saying that.

What I notice, for instance, is the orchestration of this House by a government adviser by the name of John Piper.

Interjection.

Mr Bradley: "Not the Treasurer," he says. I am inclined to believe that the Treasurer is not a person who will be manipulated like some puppet, as perhaps some others might allow themselves to be, because he has been here too long—most people on this side of the House might agree with that—some 20 years.

Mr Conway: I saw the pamphlet.

Mr Bradley: I have the pamphlet in my desk. I am going to look for that right now. I will find it some time during my speech, I am sure. I keep these things and I will hold it up for members of the government to see who were unable to make it. Here is a photograph of an individual

with a very wide tie and a striped shirt 20 years ago. It does not seem to fit, but he did not care in those days, because he was an individual interested, as he is today, in fighting on behalf of his constituents.

Hon Mr Laughren: I was tall then too.

1540

Mr Bradley: He was taller at that time and I can understand why. This is a photograph that was taken 20 years ago in Sudbury.

When I, with many others, had the chance to attend his dinner, I heard many accolades about him. That is why I do not believe he feels easy with John Piper and the orchestration of this House.

Many people watch now as the government attempts to manipulate the news media, and that is impossible to do. Every government probably tries to influence the news media in some way or other and finds out it cannot. But one of the things I recognized, sitting on the government side when I was there, was that the opportunity for the opposition to criticize arises when ministers make statements in the House. On many occasions now—it is done deliberately; I am sure of that—ministers make their announcements outside the House. The Minister of Agriculture and Food, for instance, when he was making an announcement of totally inadequate funding for farmers in this province, made the announcement in that bastion of food-growing areas, that agricultural heartland, Mississauga.

The reason they do this is that their advisers tell them: "You don't have the tough Queen's Park press gallery there, the people who are familiar with the issues and who have some understanding of the past and the present. You go somewhere outside of Toronto, where the people are not familiar with the issues, and make the announcement there. The questions are not as tough. You might even get a puff piece out of the announcement as opposed to some difficult questions." That does happen on many occasions.

A situation arose in the House yesterday. It was raised by the member for Renfrew North, the deputy leader of the Ontario Liberal Party, who pointed out that just after question period an agent for the Attorney General was handing out a press release of an announcement that should obviously have been made in this House. That was most disappointing. I was told by the government House leader that I was supposed to pick up the phone and tell him every time this happened and register a complaint. If I did that, I would be on the phone continuously. It would be like a courtroom where a lawyer asks a very leading question, such as one that would incriminate the person answering it, and then someone raises an objection. The objection is sustained and the judge says, "Strike it from the record." Nevertheless, people have heard it and are influenced by that particular intervention.

We see numerous examples of these press conferences outside the House. The Minister of Culture and Communications made an announcement about Bernard Ostry outside the House, downstairs somewhere in this building, and we had to find out about it later on. There would not be much point asking about it in question period because

VO now does not show question period at 12 o'clock. Since certain members of the House have complained about when they show it, they have now moved it to 12:30. I can understand why it would be moved to 12:30, with the number of questions that were directed by the opposition to the government about the spending habits of the chairman of TVO, who continues on in that position and continues, as far as I know, to have his credit card available for use in this province.

Regardless of the competence of this individual, questions were directed at his spending habits. Now people, if they want to see question period—I think it used to be at 12 o'clock, or at least 11:30, on TVO—have to stay up to 12:30 to see the government being brought to account. If you are on the government side, you think that is a great deal; you think that is wonderful.

People from TVO say: "Don't you understand? There's cable television which goes all day." What we have to understand is that not everyone can afford cable television and all those channels, but people with a television aerial in this area can pick up the TVO transmission. I think it is most disappointing that they continue to move it later and later into the evening. Soon it will become an early morning program, if it keeps getting moved. Of course that is in the interest of the government, so it is not going to complain about it.

What I am concerned about is watching a party which was rough around the edges at one time but which most people considered to be an honest group, a well-meaning group, if not as reasonable and responsible about what its role and responsibility would be in government. At least you knew what you got. It has changed.

We began to see the change last summer when they put the Premier, who used to wear brown clothing and informal clothing, in brand-new suits, the grey suits and the dark suits and the nice ties, the way you see Jack Layton now on television when they have a debate. You see Jack Layton all dressed up nicely now. I liked the old-fashioned NDPers who came in here with the patches on their elbows and the brown corduroy coats. When Stephen Lewis was here, he used to dress that way and would make some compelling arguments.

It is a changed bunch. As I look over there, there are a lot of new suits. First of all, a year and a bit later, the government collectively is about 1,000 pounds heavier than it was a year ago. Actually, if you take a picture of my cabinet—and this is generic, not just for the NDP—and then take one five years later, if it had the same people in it—and that is difficult for this government—you would find there are 2,000 pounds more sitting around that table. I can remember another cabinet where that was true.

The member for Hamilton West is here. He is a person I have always admired for his integrity and principles. He must shudder some days when he has to be part of announcements that are made or policies that are enunciated.

Hon Mr Allen: I had a good announcement today.

Mr Bradley: Yes. He says he had a good announcement today. One in several months is nice to see, and I am sure he is delighted about that.

Bud Germa from Sudbury used to be a fellow I saw as a real New Democrat. I would hate to tell members what he called the other people in his caucus; they were intellectual somethings. In this House, Mr Speaker, you would probably draw to my attention the fact that it is not appropriate to use that terminology. But Bud Germa was the kind of person I thought represented the New Democratic Party well.

Another individual, who passed away very recently, perhaps even today—I thought it would have been appropriate actually to have paid tribute to him. His name was Bob Carlin. The reason I remember the name Bob Carlin is that my father told me he voted for him when we lived in Sudbury. Bob Carlin used to be a CCF member for Sudbury. It lists him here in his biography as Robert H. Carlin. I do not think he would be very happy being known as Robert H. Carlin. He was with the Mine, Mill and Smelter Workers and later the United Steelworkers of America.

The interesting thing about Bob Carlin is that he went too far to the left and the CCF kicked him out. He was part of the mine-mill union which, it was alleged, had communist leanings in those days. He had been elected as a CCF member of the Legislature. He had worked in mines. He had been a person who had gone through the tough times. He was one of those people who suffered quite a bit for being a union organizer and for being part of a union, back when it was tough to be a union leader, back when if you tried to organize big industries like that, there were goon squads that went out from companies to go after those who wanted to fight for the rights of workers.

Bob Carlin, who did pass away, I think today or yesterday, was a person who deserves a lot of credit. He reminds me of the old CCF and the old NDP, people who were prepared to fight for what they believed in.

Today I look over there and we have all kinds of new suits and fancy clothes—not everybody—as they have become a new-image government. Not the member for Etobicoke-Lakeshore; she has always had those. But I look at some others over there and I see the brand-new suits. They know who they are on the other side of the Legislature.

Interjection.

Mr Bradley: It is true. The member has just come in, so she probably did not realize the context in which I said it.

This is a change from the old days. This is a change from the hard-nosed, left-wing, tough NDP I knew in opposition and that I admired. I did not agree with them all the time, but I admired the fact that they had principles and stood up for those principles. They reminded me of the Labour government in Britain, which a lot of people disliked, but a lot of those people had principles they were prepared to stand up for.

Now we see the NDP sliding away from those. The business community is happy and the opposition is happy to see some of the changes that have been made. The member for York Centre said yesterday words to the effect that the people of Ontario sigh a collective sigh of relief when this government changes its mind under pressure

from the opposition and outside groups, and I agree with that.

I look at Bob Carlin and I want to pay tribute to him. As I say, he got too left for the CCF at one time. He was actually booted out of the CCF and it ran a candidate against him. It says here:

"By 1948 the influence of the Communist party within the International Union of Mine, Mill and Smelter Workers had become a matter of concern to both the CCL and the CCF. When Carlin opted to 'go along' with the communist-oriented international officers of his union, the CCF denied him nomination for the 1948 provincial election, ran an official candidate against him and he was defeated. In 1949 the CCL expelled"—that would be the Canadian Congress of Labour then—"the IUMMSW."

1550

The person who was turfed as an NDP candidate again was a person who was prepared to take it on the chin in the early days of organizing in Ontario. I see some parallels today as the party moves away from its original positions. In fact, I was reading a column on September 14 by Thomas Walkom of the Toronto Star. Thomas Walkom would not be a person who would be attacking the NDP from the right. Anybody who reads his columns knows he is a person whom I would characterize as being from the progressive left; quite progressive left as a matter of fact. He talks a bit about what is happening to this government:

"And confusion abounds. What is the Rae government about? Has it sold out? Did it ever have anything to sell in the first place?... Rae, after all, is the man who during the 1990 election campaign"—and he is talking here about the abandonment of government car insurance—"faced the television cameras and advised voters to apply this credibility test to politicians: 'What are people's records? What have they said in the past? Whose interests are they defending? Is this something they've said before, or is this just something they're saying now?'"

Tom Walkom continues: "That's what he said then. But what he has done—particularly his insurance decision—has shaken some of the stoutest NDP supporters." One of them is a very good friend of mine, Mel Swart from Wellingthorpe, who by the way will be celebrating his 53rd wedding anniversary next week, so the New Democrats will want to make sure they send him a card.

Tom Walkom says about him: "Former New Democrat MPP Mel Swart, the driving force behind the party's auto insurance plan for many years, called Rae's decision 'heartbreaking' and 'a very serious mistake.' Even in the government itself, long-time party members were left shaking their heads in disbelief."

I am not saying this as a person who has any inside in the party, but Thomas Walkom, who interviews many people and has a chance to chat with many members of the New Democratic Party in his role as a journalist, has determined this from his interviews.

He goes on to say, talking about the NDP again and the fact that it has jettisoned some of its original policies:

"In large part that's because the NDP has become enmeshed in its own contradictions. On the one hand, it wanted to become electorally relevant. It hired consultants

and pollsters, tried to figure out strategies that might win seats. The pollsters continually told the party: Don't talk about the economy; you can only lose support if you do that; talk instead about justice and fairness."

He goes on to say: "Perhaps, underneath, the party's MPPs never really wanted to win power. Opposition is, after all, comfortable." Those are some of the observations he makes. That is often true, by the way, of people in opposition.

There is no question in my mind as I look at the faces of cabinet ministers these days that it is a difficult job. I know what it is like and I know it is a tough job. I can tell when they come in looking tired that they have had a tough day on the job. If they have not, that means they are not doing their job. I know that all the looks of tiredness from time to time are because they are working long hours. I do not begrudge them the fact that they are paid \$90,000 a year, that they have the limo and the credit card and all those things, because I know they have a tough job to do.

Mr Walkom goes on, and I am concerned about this, Mr Speaker, as I know you probably are, about the Agenda for People. This is how he refers to it. He says, "The party's so-called Agenda for People was a sham—a document prepared in a hurry and released in the midst of the 1990 election campaign on a lazy Sunday afternoon, in the hope that no one would pay attention." When he talks about it in terms of the promises, he says, "They were not meant to be taken seriously." He goes on to say, "Besides, as a senior aide acknowledged this week, the party's positions in opposition were too often opportunistic, geared to winning headlines. They were not well considered."

Hon Mrs Grier: What a different opposition you are being.

Mr Bradley: I would simply point out that the point I am making this afternoon is how the NDP was supposed to be different. What the people have discovered is that it is simply another political party in the process of the province of Ontario.

This, I know, is annoying the Minister of the Environment, the member for Etobicoke-Lakeshore, whose family, both she and her husband, is what I would consider to be good, hard-nosed New Democrats who have always been supportive of NDP principles in this province. I have admired the contribution they have made in the past and the views they have expressed in the past. Which means the Minister of the Environment must just be shuddering some days when she has to defend some of the policies the government brings forward. I really believe that is the case.

This is what is happening in Ontario when we talk about some of the things the NDP had promised. Mr Walkom in his column on September 14 mentions this. He says: "But other long-time promises remain. Senior figures say the government will push through anti-scab legislation in the face of business opposition, while scrapping some of the other controversial proposed changes to the Labour Relations Act." They say they are going to scrap pension reform; they say they are going to go ahead with limited welfare reforms, and so on and so forth.

There was a list of things the NDP promised and delivered, which was rather interesting. I will not go into the exact detail of it, but it talks about auto insurance and the promise that was made. We all know that was abandoned at Honey Harbour. We know how many members within the NDP were annoyed with that, because that was central to the NDP campaign. It talked about a minimum tax of 15% on corporate profits and no provincial income tax for families below the poverty line, an inheritance tax on estates valued at more than \$1 million, a speculation tax on property and other principal residences.

What we have, of course, is an NDP tax commission. It will look into these things. I must admit that the people on the tax commission are pretty left-wing in many cases. Neil Brooks could not be considered to be anything other than very left-wing, and some of the other people on that commission are quite left-wing, so I am sure that some of the recommendations will be rather interesting. This government, I suspect, will not be implementing them. The minimum wage, pay equity, child care, poverty, rents, working to keep Ontario businesses alive, employment equity, the environment, housing—it lists a number of the promises that were made here, and the promises have been cast aside or postponed in terms of their implementation.

I used to sit with a member who, again, I remember was a rough-and-tumble New Democrat in those days. His name was Ed Ziemba. He and I both served at the same time as critics for the Ministry of Correctional Services. If he could have foreseen what is happening today in terms of the policy being implemented by this government as compared to what he used to stand for—he was not a milquetoast social democrat; he was a hard-nosed, strongly committed New Democrat—I would think, although others may have different views, he would not be entirely happy with what is happening to his New Democratic Party today.

Hon Ms Ziemba: He is happy, believe me. Stick to our own policies.

Mr Bradley: The member should have some humour over there and not be so humourless. She is going to perpetuate a stereotype of socialists as being totally humourless.

Hon Ms Ziemba: I smile.

Mr Bradley: That is why she has to smile. Some of the people who have been around here a while smile at some of this stuff. I think I know the person I served with well. I am sure the member opposite knows him even better than I do, but I well remember the cases he used to fight in here and what he used to stand up for in opposition. I cannot believe he is entirely satisfied with what we are seeing. I am speaking of the former member for High Park-Swansea, I believe it was, Ed Ziemba. I wonder how he would feel about this, but I will not go further into that.

600

Hon Ms Ziemba: Happier than David Peterson.

Mr Bradley: Here she is again, interjecting about David Peterson and so on. That is fine. She had many years to do that and to make those comments.

Interjection.

The Deputy Speaker: Order. There will be ample time afterwards to ask questions of the member for St Catharines.

Mr Bradley: To continue on in some of the observations that are made, this is a Thomas Walkom column entitled "Bush's Puppet Hankers For Bigger Stage." I am not going to get into the federal part of this, because this is a provincial House, but he makes an interesting observation near the end, if our Prime Minister were to depart for other pastures.

He says: "But if he does go"—he is referring to Brian Mulroney—"we will, in a way, miss him. We will have no one on which to focus our hatred. And Bob Rae, for one, will have no one left to blame. Ontario's Premier will have to justify his milquetoast, do-nothing Ontario regime on its own merits. He will no longer be able to deflect criticism by blaming Brian Mulroney." That is a rather interesting observation on the part of Mr Walkom.

There was somebody else who made an observation, another person who I have found to be an interesting observer of everything in this country, a well-known person respected by people of all political backgrounds, Robert Fulford. It is from the Financial Times of Canada, October 21, 1991. He makes some observations along the lines that I made in the House today, in a much more articulate fashion. One would expect that from Robert Fulford. He seems to say these things in a rather sad way, as opposed to perhaps an angry way—perhaps I have misinterpreted his words—more in sadness, I think, than in anger. He says the following:

"A CEO of my acquaintance, after hearing Rae at a breakfast meeting for business leaders in September, reported: 'If you close your eyes, he sounds just like Michael Wilson.' Perhaps he feels he has to. Given his party's anti-business history, he must now appear to be even more enthusiastic about business principles than his Liberal predecessor was. At his present rate of change, three more years of turning on the spit of public opinion will transform Bob Rae into Margaret Thatcher.

"His cabinet ministers, on the whole, move less swiftly. Many of them have carefully trained themselves, over the years, to despise business and the free market. Now, in office, they have been developing a new approach, which can be roughly paraphrased: 'We are not as antibusiness as you thought we were—or, in fact, as we thought we were.' This leaves business people unimpressed and makes party members uneasy."

Mr Fulford goes on to say: "The Toronto Star recently quoted a melancholy chap who runs the Hamilton Centre riding association: 'A lot of people who work for the party feel a certain kind of moral integrity—maybe even superiority.... I think now there is a profound sense of "Geez, we're just like the other guys."'" He's the sort of person who knew for certain that government auto insurance would be introduced soon after the NDP won the election. It won't be, of course, because—well, the New Democrats discovered that it would cost a lot of people their jobs and drastically increase the deficit. Before the election of 1990 these facts were known to everyone else in Canada but by vicious conspiracy were kept from the New Democrats."

He talks a bit about socialism. "Socialism also implies more creative ideas about health care, welfare, and education—yet there are no signs of any such ideas around. In fact, this government seems even less enthusiastic about helping the universities (a major problem in Ontario) than the Liberals were. In most of these fields, its major concern seems to be the placing of NDP members on the boards of universities, hospitals, museums, etc. Whether these appointees care anything about the institutions in question is of little interest to the government, an approach it learned from the federal Tories.

"The Ontario experience seems to demonstrate that even if political principles are nurtured over decades they can be worn away with astonishing ease. In this case, NDP principles haven't been able to withstand even one year of bad economic times and media hostility. Perhaps that's because the principles were never articulated or understood in the first place; perhaps they weren't principles at all, just vague feelings of goodwill on the one hand and hostility on the other.

"Recently, Edmund Dell wrote *A Hard Pounding*, a book about the British Labour government of the mid-1970s, which he served in the Treasury under Denis Healey. One sentence leapt to my eye from the page: 'There is no comparable example of such intellectual and political incoherence in a party coming into office.' That produced a shock of recognition. Incoherence is what troubles the Ontario NDP. It is often, and rightly, attacked for its bungling, but we expect incompetence in people who have never seen the inside of a cabinet room before; experience and the usual weeding out will fix that. Incoherence, the lack of shared purpose and direction, is far more serious. Parties die of it."

Robert Fulford is not some right-wing ideologue or Neanderthal. He is a person who probably would be quite sympathetic to the views expressed by the NDP in the past—some of those views at the very least—and he is expressing disappointment, as has on occasion Mr Walkom, the columnist for the *Toronto Star*, at the NDP having strayed from its original purposes.

In addition to John Piper, who seems to be orchestrating things on the other side of the House and making this a slick government, a politically smart government, we had an interesting addition to the cabinet office, one of my favourite people when he was in the news media. He could ferret out stories about government waste, incompetence and so on. I am referring, of course, to the award-winning journalist from CBC Radio, Gerry McAuliffe.

Mr Conway: He has not gone over too?

Mr Bradley: Gerry McAuliffe was an individual to whom it did not matter which government was in power—Tory government, Liberal government, NDP government. When he wanted to, he could dig up an awful lot about the government and bring it to public attention. I think in that sense he did a fine service for the people of Ontario.

The NDP has hired Gerry McAuliffe. No doubt it is paying him more than the CBC and it serves a couple of purposes. No one can blame Mr McAuliffe, of course, for taking an appointment of this kind. He probably has his

personal reasons, perhaps his relationship with the CBC or whatever. I do not know. I am not going to get into that.

Mr Conway: Forty thousand?

Mr Bradley: Forty thousand would not touch that kind of office.

Just as when it does not make statements in the House and avoids criticism, the NDP has succeeded in taking away one of the harshest critics of government, and I say that in a generic sense. It has put him in the cabinet office to advise on—what would we say it is?

Mr Conway: Critical issues management.

Mr Bradley: "Critical issues management" I think was the terminology.

Mr Conway: That is what the press release said.

Mr Bradley: That is what it said. I am disappointed that we do not have Gerry McAuliffe around to ferret out those stories about this government. It, of course, will have the advantage of his advising it on how to avoid these things. That is something interesting to observe. One would not have anticipated that the NDP would go out of its way to have to hire people to do those things.

We also have some other good tactics that the government uses to satisfy itself. One is that, after question period, it will have selected cabinet ministers who will go to the press gallery lounge and just chat with the folks from the news media, chat them up and make them feel as though they have some special access to cabinet ministers. That is smart politics and no one should deny a government that opportunity. But again, it goes contrary to the image I always had, perhaps wrongly, of the NDP of not being that kind of manipulative, slick government. Instead, well, what you see is not what you get these days unfortunately. From a political observer's point of view, that is kind of sad. I guess from an opposition member's point of view it is great because you can criticize it and say, "See, they're just like the rest."

There must be a lot of people like Mr Fulford and some true New Democrats across this province—he quotes someone from the Hamilton Centre organization. That is his quote, not mine. He has his source, I do not.

1610

The member for Welland-Thorold is another critic. I have always enjoyed the observations of the member for Welland-Thorold about things affecting this Legislature. I remember the fight he put up on behalf of government automobile insurance in Ontario and against the fact that the previous government was going to deny an unfettered opportunity to sue for people involved in accidents. I think it was 17 hours he spoke in this House. He read out various messages. He did everything he could to prevent the government from having its way on automobile insurance. Naturally, he would be a person who would leave the retreat at Honey Harbour with some degree of bitterness or perhaps resignation to the fact that was happening. I am going to get back to his comments in a moment. In fact, I want to look at a couple of other things that have happened.

We raised in this House the issue of the intervention of the Ontario Provincial Police with members of the opposition and with the news media. We will get to the bottom of

is eventually; somebody will fess up to this. We appreciate the Ontario Provincial Police protection in here, however what we do not appreciate is how this government attempts to use the Ontario Provincial Police. That is my observation.

Hon Mr Cooke: You are totally wrong.

Mr Bradley: The government House leader disagrees, the member for Etobicoke-Lakeshore shakes her head and kisses at the speaker, but I happen to know—

Interjections.

The Deputy Speaker: Order.

Mr Bradley: I know exactly what is going on with what the government is doing.

The Deputy Speaker: Will the member for St Catharines address his remarks to the Chair.

Mr Bradley: I will certainly do that.

The Deputy Speaker: It will prevent any heckling at way.

Mr Bradley: That is true. I wish I could believe that, Mr Speaker.

We have a fine police force in Ontario, even though we do not have the Golden Helmets of the OPP any more, which were such a great tradition. They died in Perth. Their last appearance was in Perth, unless they have been brought out for the royal visit. They may well have been brought out for the royal visit. That was something. We had the OPP Pipes and Drums. We had the grape festival parade in St Catharines. I was looking, as were so many people, for the Pipes and Drums and the Golden Helmets.

We know those are the ceremonial duties of the OPP, but we also expect that they are going to be preoccupied with fighting crime. They have had an excellent reputation over the years for fighting crime in this province. Instead, the government has them sidetracked and, as a result, we have the member for Halton Centre being interviewed in her constituency office about some leaked government documents. We have a Toronto Star columnist being interviewed as the result of a leaked document from the Ministry of Natural Resources. We have a spin document coming out of Treasury that has nothing to do with the budget. It is simply a spin document being put out, a public relations document, and we have the OPP used to investigate that.

This I consider to be—it is a subjective evaluation—intimidation: intimidation for members of the opposition, intimidation for members of the news media and intimidation, certainly, for the public servants who feel that on all conscience they must pass these documents on to the opposition as they used to do to Stephen Lewis with great regularity. I think there are many people in the NDP caucus who feel uneasy about this. I do not expect them to rise and say that, but I would suggest that when there is a meeting of their caucus taking place, this issue is raised and there are a lot of people who are very uneasy about it.

Also there is the use of Alpha, this new company which, heaven knows, must have NDP connections. It orchestrated presentations to the standing committee on finance and economic affairs when it had budget hearings

across the province. All of a sudden, all these former NDP candidates and others who are sympathetic to the government showed up at these hearings to speak favourably of this budget that nobody else in the province seemed to speak favourably of.

Now we see the select committee on Ontario in Confederation. It must be Alpha again involved in orchestrating or bringing forward the people who are going to make presentations there. It will be interesting to see who is involved with Alpha because I know the NDP would not simply pick its friends to do these things. It is different from other parties.

I sit on the standing committee on government agencies. The member for Etobicoke-West is here and he would know what that committee is like. What we are concerned about in that committee is not so much—let's put it this way: the committee does not have its power because the committee cannot veto—that there is not equal party representation on the committee, which would make it multi-partisan, and not so much that members of the committee cannot suggest their own appointments or hear from others who want to comment on it, so it is a very weak committee, but what is annoying to those of us in the opposition is that it is portrayed as something else. What is probably even more galling are the people who actually believe it is different. You read some pieces somewhere that say, "Bob Rae has made a major change." In fact, he has not.

The present government makes the past government pale in terms of the New Democrats it is putting on every agency, board and commission. That is a right, but if anyone thought things were going to be different with this government, as the Premier suggested they would be during the campaign and in opposition, they certainly are disappointed that we are getting party hacks and other supporters in many cases filling positions the government may appoint people to. That is discouraging. But of course the public relations will continue and it will be portrayed as something substantially different.

Today I was quite interested in the Red Hill Creek Expressway and that announcement. What we are seeing now is the government, in my view, attempting to influence the results of municipal elections. I say "in my view," because the government House leader is probably going to disagree with me vigorously.

I remember the piety as the former Minister of Transportation, the member for Etobicoke-Rexdale, rose in the House—or was it outside the House? I cannot remember—to announce that the Red Hill Creek Expressway was finished, done, no more, that they would not take this road through the valley because it would destroy the valley. Now we hear that route is back on the table, that it has not fallen off the table, but we do not want to announce that because we want to make an announcement that is going to help Brian Hinkley, not get him into trouble.

We have it on one day, off another day. We heard it was a moral decision, an environmental decision and now we find out there is some uncertainty about it. There we have a situation where the government is not coming entirely clean, or is about to change its position. If they made a decision that they said was environmental, that they said

was a moral decision and stuck by it, there may be some people in this House who would disagree with it, but at least people would say: "That's their position. That's what they stand for. That's what they're going to do." Now we hear it is back on the table.

Let me draw a parallel for those who are in government and know what is going on. I remember the old debate over the Rouge Valley and whether there was going to be a road through the Rouge. I watched the Ministry of Transportation. It was told by cabinet, "Find an alternative route to the one you had chosen." As the presentation was made—I was present—lo and behold, what appeared back on the map but the original route, not only some of the other options but the original route the people from MTO wanted. I said at the time: "This was clearly not the instruction. It was clearly to be alternative routes to this and what is this doing on the paper?" Eventually, of course, it was shoved aside. They recognized that the government meant business, that we would not accept that particular route and we looked carefully at all other routes.

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I hear that with the Red Hill Creek Expressway anything goes, anything is possible, and we will not really find out what is going on until after the November 12 municipal election, because we want to make sure we do not adversely impact on Brian Hinkley's campaign in Hamilton. That is what we are going to see. I look for a nod from the members of the Conservative Party when I say to you, Mr Speaker, did not the Minister of Transportation indicate that everything was still on the table, that every route was still possible? He did, and that is going to disappoint some people.

Sunday shopping is another favourite issue. This government was going to close down everything on Sunday and we would have virtually nothing open. We would still have some factories working and other people who had to work on that day, but this government was going to close things down because it cared about the retail workers, it cared about family life and it cared about a common pause day. Now this government has changed its mind. It will put forward various excuses. I know the excuses. I know what the reason is.

Mr Perruzza: It is called listening to people.

Mr Bradley: It is exactly. I am glad the member intervened. It is called reading the polls. They got a poll that said, "The majority of people want this to happen," so they had to make a choice between polls or principles, and they chose polls. Again, perhaps there are people in this House and in the province who would say it is a wise decision and would breathe a collective sigh of relief, but there are many people who would say: "What about the NDP promise? What about those principles? You know I voted for those principles and now I find they are being abandoned. Now I find that there are going to be exceptions, that the bill is so full of contradictions and exemptions that if you use them the right way, we would have a hodgepodge of openings around Ontario." People will recognize that as a retreat.

Then we had the dispute over the salary of Marc Eliesen, the new head of Ontario Hydro. We have seen a retreat on this after much questioning in the House and public embarrassment. That is understandable, and as I say people may breathe a sigh of relief over that. Once again we have seen the jaw come out or people getting caught and then having to retrace their steps. Does this sound familiar? Sure. It is what has been experienced by many governments in this world over the years.

To those who thought the NDP was ethically and morally better than other parties, it is not. It is a partisan organization that would like to keep itself in power in Ontario and will do what it has to do to achieve that power. I hope at the same time they can implement some of the things they believe in because I know some of the members over there believe strongly in many of the things they campaigned on in the past.

I saw an interesting television program. My new favourite television program is Haeck from Queen's Park. This is a cable television show from my friend the member for St Catharines-Brock. It is a very interesting show. She has some good guests. I saw the member for Niagara Falls on and she was marvellous in answering the questions and very informative. She has others on and they have been very helpful in educating me on what the NDP stands for. Last week she had the member for Welland-Thorold on and this was most interesting because—

Mr Stockwell: What did he say?

Mr Bradley: The member for Etobicoke West is probably wondering what he had to say about this government. The member for Welland-Thorold is a person who does not care about ruffling feathers on the other side. He is not one who will kiss the ring of the Premier on any occasion simply to endear himself to the Premier. He is one who says what he thinks, and this is what he said in answer to one of the questions from the interviewer, who did an excellent job as well:

"Ontario is far, far more than the intersection of Yonge and Bloor. But you have some people, and quite frankly they're dominating the government process right now, as they have in previous regimes, who really think that once you are finished with Harry Rosen's clothing store and"—some other places in Toronto—"and the Park Plaza, why that's all of Ontario." I think he said Creeds—"Harry Rosen's clothing store, Creeds and the Park Plaza, why that's all of Ontario."

Hon Mr Cooke: It is closed.

Mr Bradley: The government House leader says it is closed and we know why it is closed. The economy is so weak in Ontario now that it probably fled to the US at the sight of this government.

He goes on to say: "I'm fearful of this—values that are being rejected by some of those downtown Torontoites. I say no more."

The point he is making, quite obviously, is he believes, as he once said, that there is an exclusive group of people in the Premier's office who make all of the decisions and—

Hon Mr Cooke: Herschell.

Mr Bradley: Exactly. They go from regime to regime, except there are different faces. You need a program to see who they are, but all these places are going to be filled. He seems to believe this group is responsible for decisions.

I would not call anybody these names at all, but I know that members of the House would want to know what the member for Welland-Thorold thinks of some of the decisions that have been made.

He says: "People are telling me...they are fed up with government that doesn't pay attention to the needs of small-town folk, be it in western Ontario or people up in northern Ontario. They are sick and tired of Toronto values, of downtown high-rise values being imposed upon them."

Then he says: "I am telling you, when people are told that some pinhead made a decision about eliminating the path to the Queen for police officers, they're saying: 'Now where did that come from? Who made that decision? What kind of nitwit could possibly think that somehow people in this province were demanding that the Queen be abolished from the oath for police officers?' And they are right. When we saw the horror show of the elimination of the Ontario scholarship bursary"—he goes on to talk about that—"happening but weeks before those same students were going to be receiving it, again the timing of that was dumb."

"The problem is you got people up there in Toronto who won't take the time to get out of their limousines and talk to real people in their factories, in their shops, in their fields."

"Let me be more precise," says the member for Welland-Thorold on the Haeck from Queen's Park show. "The sad reality is that there are some people at Queen's Park who better get out of their limousines and talk to real people. The sad reality is that we are like so many other governments, guided by too many \$1,000-per-day consultants, and I don't need Gerry Caplan to tell me what it means to be a New Democrat. I can go to talk to factory workers at their plant gates. I can talk to shopkeepers in their shops. I can talk to farmers in their fields, senior citizens in their homes, students in their schools and get a far better feel for what people need in this province than I can ever get from the \$1,000-per-day consultants."

"I say we better start talking about it and making decisions about it because people are fed up and aren't going to take it any more and I don't blame them."

He is talking about some of these decisions that are made, the member for Welland-Thorold: outspoken as always, a strong New Democrat. When he goes across the province, I am told, even today he is one of the most popular speakers. Virtually every association likes to have him speak. He gets a larger round of applause than the premier in many places and this is what he says about the government. If he says that, I think one would consider my observations about this government as being somewhat moderate by the same standard.

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Let me talk about a few other things that we need. There was initially, I guess, some attempt to have a left-wing government. I recall when at York University there

was an organized session for civil servants and people who work in ministers' offices where the Bennites from the city of London—some people would call them the left-wing loonies; I would not say that naturally, but some people would say that—were brought over to educate civil servants and some of the political people in the government as to how they should operate a government. This was organized up at York University and certainly John Crispo was not invited to that particular affair. There may have been others, but he was not.

I look at another problem that is certainly on the minds of many people in Ontario. That is the problem of crime in our province. The statistics are worrisome. Police officers are worried. Every day we seem to pick up the newspaper and see killings taking place. We see armed robberies. We see gangs of kids going through the CNE on a rampage or going through the Eaton Centre or some market or into stores. We see people being surrounded. What is the term for that, when they surround the people?

Mr Ruprecht: Swarming.

Mr Bradley: "Swarming" is the term used when they surround these people. Some violent beatings take place. Finally some people, other than those who have been talking about crime for a number of years, have discovered there is a problem with crime. There are two approaches to it and there are two tactics one must use. One must look at the source and the cause of crime and one must look at how you deal with the immediate problem.

I reject entirely those who wish to give me the history of the person committing the crime, as though that somehow is an apology. We worry about the perpetrator of the crime and say, "If you only understood how this person was raised or the environment in which the person was brought up, you would understand why the person committed the crime." I say, tell that to the person who is the victim of that crime. Tell that to the people who have been mugged, the people who have been assaulted, the people who have been killed. Tell them about that.

That is one approach, where people simply dismiss it that way. The other extreme is when people say: "All you need is to triple the size of the police force and make all the laws very tough, similar to some countries that are very drastic in their laws. That will solve the problem." Quite obviously, it is only a combination that is going to solve the problem.

First, we need strict enforcement, good enforcement, support for our police forces in this province, not constantly nagging at them, not constantly going after them, but supporting them when they are carrying out their responsibilities to enforce the laws in this province. Second, we have to deal with the social problems that breed crime in the first place. It is a combination. We cannot simply forget one and pursue the other.

I hope this government addresses itself to this issue. I notice it has become an issue in the Toronto campaign. I am not going to get into the campaign, but I notice that all of the candidates seem to be talking about it as one of the issues. The two candidates for mayor are talking about it. Both people have indicated a concern about safety and are

concerned about crime. We all have to address it as well as we can.

We have to deal with the Young Offenders Act. The Young Offenders Act was probably brought in with good intentions. There was a feeling that a lot of kids were going into prisons. Again I make reference to a former member of this House. Ed Ziemba and I went to many prisons in this province, both as Correctional Services critics, to observe what was happening. One of the things we came to a conclusion about was that many of the people who were in those prisons were too young to be in those prisons and were deprived of the appropriate education which would allow them to function well in society.

Some of the recommendations that came out of that committee and its movement during estimates through the prisons were helpful in making at least some changes in the prison system to ensure that once those people got out they were going to be capable of functioning in society. But there is a concern that the Young Offenders Act has turned out not to be the panacea that a lot of people thought it would be, that while it has addressed one problem, it has created another.

You have a number of young people in our society, as small as that number might be compared to all the kids we have in our society, who are just thumbing their noses at it, who are laughing at the police, who are laughing at society because they know they can get away with doing whatever they are going to do. You can even have adults who are malicious using young people to carry out their crimes because they know those young people would have a lesser sentence, and that is most unfortunate.

I think we have to have a careful look at it. I do not think we throw it all out and say, "We have to put all those kids back into prison."

Mr Winninger: Throw them in jail.

Mr Bradley: The member for London South intervenes. One of the problems we are confronted with now is a lot of people who are sick and tired of seeing this happen, of seeing these people thumb their noses at law in this province. That is a great concern. The member can smile if he wishes. I accept his intervention. I do not deny that opportunity. I know he may feel there is an overemphasis on this from the other side of the House. But I am very concerned about the Young Offenders Act. I am not one who attacks it willy-nilly. I think there have to be changes to it to be sure that young people cannot be used by adults to commit crimes and that indeed young people cannot simply thumb their noses at the law and make a mockery out of the law.

There is another thing, and I will not dwell at length on this but I am going to touch on it because I know in the constitutional negotiations going on at present there is talk of entrenchment of a lot of things in the Constitution. I am going to tell those members—their Treasurer knows better than anybody right now, and probably their Chairman of Management Board, and probably those who sit in cabinet week after week—they will see as time goes on the major effect the Charter of Rights can have on government policy. They can be forced into a lot of policies that are ex-

tremely expensive and may not be a priority for their government because an unelected court has dictated this.

I may disagree from time to time with what an NDP or a Conservative or a Liberal government does, but I prefer the option of throwing that government out and replacing it with a government that is pleasing to me in terms of its policy initiatives and programs as opposed to having to deal with a court that cannot be thrown out. That is the great problem.

People have had that opportunity. When people disagreed with a Conservative government, they replaced it. When they disagreed with a Liberal government, they replaced it. If they happen to disagree with the present government, they will replace it. I prefer to see that option available rather than judges making these decisions.

Speak to the Treasurer. Speak to the Chairman of Management Board. They know the implications of these court decisions which arise out of the Charter of Rights. The Minister of the Environment is going to be confronted by people who will use the Charter of Rights to try to avoid problems with the environment. I have seen those cases arising.

You have to be extremely careful about entrenching things. If you have a policy and want to implement it and you are elected, you have the right to do so. You have the right to do so when you have the mandate of the people of this province.

If this government wishes to become deeply involved in a number of areas that are costly, it has the right to do so, but better it does it as a democratically elected government than have the court impose it. I am telling members, that can happen.

Hon Mr Allen: That is why you support the "notwithstanding" clause.

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Mr Bradley: That is a good intervention. The member for Hamilton West says that is why I support the "notwithstanding" clause. In my own personal view, the "notwithstanding" clause should be used in only the most extreme cases.

I look at courts—and remember, these people are not elected. Many of them in years gone by were not always the most qualified people, in my view. I hope I do not face one, having said that. I think governments today, at the federal and provincial levels, are making a better effort to appoint people who are going to be good judges, who are going to be good people to sit on the bench, who are not simply people affiliated with a political party. That is going to be very helpful, but I worry about people who are now sitting in various posts making policy decisions as a result of sitting on a court.

But I think the member for Hamilton West, in his intervention, wisely reminds members of the House by asking me the question about the "notwithstanding" clause, because I certainly disagree with the one way it has been used. I have seen it used once now, and I believe it was to cut off legitimate rights of people in the province. That is why I think it is extremely dangerous to do that. However I simply make the observation that they as a government

will have taken away from them the right to make a lot of decisions by a court which will be imposing its will and its priorities on the government.

I should also mention, in St Catharines, because we are in the New Enterprise Store—oh, I have not mentioned the computerized axial tomography scanner for the Niagara region, and people would be disappointed if I did not. The Minister of Health has a difficult job and I know she is sympathetic. I watch her in the House as I ask her to look about this. She is sympathetic and wants to make sure the criteria used for the approval of CAT scanners are appropriate. I know it is not easy for her to simply make an instant decision, and it is not a good way of doing things, but I must say that people in the Niagara region are waiting some five and six months now for elective use of a CAT scanner.

I do not want to pretend that emergency use is not available. That would be conveying a wrong impression to members of this House. Emergency use is there, but there are a lot of elective uses that are still important medically that take five and six months for the CAT scanner, so I hope the minister gives her approval. As you know from our own area of the province, Mr Speaker, the local community pays for the CAT scanner, the diagnostic machine, through fund-raising and the hospital must operate it out of budget, and part of that budget is of course supplied by the province.

I want to look at the police commissions around the province. One of the most important appointments the government will make is to the police commission. I think there is a gentleman by the name of Andrew MacKenzie who works in the Solicitor General's office who has something to say about this. I am not saying he makes the final decisions, but certainly he is involved with this. I will say this through the minister: I hope he looks carefully to observe that the people who are appointed to the commissions are not people who are constantly antipolice. I do not think that will be the case. I hope it will not be the case. There is nothing more discouraging for members of a police force.

I recognize we must have civilian control. I know the NDP will be implementing its promise of years gone by of putting the majority of people from the local municipality on the police commission and not the government representatives; I know it will be doing that. I am confident because it has said this in years gone by. But I think it is important to place on those commissions people who understand the difficulties that police officers in this province face in carrying out the responsibilities.

Policemen and policewomen themselves are the first to want to cast away those who break the law within their own ranks. They do not want corrupt people in their ranks; they hate it because it reflects upon the whole police force. But they are equally concerned if they see a number of people appointed to police commissions who are simply out to get the police, to disagree with the police, who have long-time grudge against the police.

I hope there is a good balance appointed to the police commissions across Ontario. I am not going to get into naming individuals and get into a fight over those things. I

simply put forward that need for balance in all appointments, but certainly on police commissions.

Another thing I want to talk about is the New Enterprise Store in St Catharines. There is a new idea. The Minister of Education will be interested in this and I am sure he will read Hansard. The Minister of Colleges and Universities is here and is very interested in these things.

The New Enterprise Store is strongly supported by Brock University. They have an entrepreneurial centre at Brock University which is getting some education progressing in the field of entrepreneurship. One of the offshoots of this is that a fellow by the name of Gene Luchzkiw in St Catharines, who used to teach at Governor Simcoe Secondary School and now is up at Brock University, is working very hard to establish within the education system this entrepreneurial spirit. It is something that has been missing for a number of years.

Just starting with the previous government, and I hope this government continues it, they have now set up a New Enterprise Store in the northern part of St Catharines where a lot of skills can be learned about how to operate a business. These people are unlikely to be the people who are running General Motors, although I cannot guarantee it. In other words, we are not looking at the president of General Motors. Maybe some day we are. We are talking about a lot of the small business people in this province who start up a little store or a little business and can keep it going. I think that is what this government should encourage as much as possible.

I could probably go on at some length, but I want to give some of my colleagues a chance to speak. I know the member for Etobicoke West is eager to come forward.

Mr Stockwell: No. I am enjoying this.

Mr Bradley: He is enjoying some of these, so I found some more.

I want to go to the automotive industry because it is so important to the city of St Catharines, part of which I represent in the Legislative Assembly and have had the privilege of representing for over 14 years. I listened to a resolution put forward by the member for Kitchener-Wilmot this morning and had a brief intervention. I am not panning his resolution. As a member of this Legislature he is entitled to put forward whatever he wishes.

I did caution him that when one promotes one mode of transportation over another, there are people who will not be amused by that. If they were watching today, I suspect a lot of people who are interested in motorcycles and in the production of motorcycles would say, "That's great stuff." I know what the member meant. He did not mean that people should not buy cars or should not buy bicycles. I want to be fair to him.

In some minds, the interpretation that comes forward from such a resolution may be that the cars produced in St Catharines, or at least the parts produced for those automobiles in St Catharines, may be fewer in number than might be the case if the government were not specifically promoting one mode of transportation or another. I know people in the automotive industry and the Canadian Auto Workers, Local 199 and Local 676, Hayes-Dana and General Motors

in St Catharines would like to see cars continue to be produced. They would like to see them, no doubt, and would approve of this, being environmentally better cars which consume less gasoline and have better emissions.

Mr Stockwell: How long are you going to be?

Mr Bradley: I suspect I will be finished by 5 o'clock today.

What we had was in fact a tax on auto workers earlier this year. I do not know who gave the Treasurer the ideas, but they certainly were not cleared with some of the members opposite who have been with CAW before, because these taxes amounted to a tax on auto workers. The tax is being implemented in the middle of the deepest recession since the Depression. At a time when our automobile industry is facing and continues to face unprecedented competition from offshore, this is being implemented. There was a retreat on that.

I am sorry; I promised the Treasurer that if he retreated I would not say he retreated on this, but I think I can get away with it because he did not entirely do what I wanted him to do. I suggested to him that he withdraw the tax and that he encourage people to purchase new vehicles. The reason for that is the major problems with air emissions and what I call mileage that cars get, in other words, the miles to the gallon or litres to whatever it is now. In fact, he could improve the air and the fuel efficiency if he had everyone in the province buying a new car. At the same time he would certainly spur an economy that needed spurring.

Instead we had a punitive tax on automobiles that was somewhat modified when the opposition put considerable pressure on the government, exposed the problem, and when the representatives within the Canadian Auto Workers justifiably made representations to this government and said, "Look, you must understand what the implications are of this."

1650

There was another bit of a retreat that took place, or a change of course, and it was predictable. Just as this morning, when I saw the government members almost en masse get up to defeat a motion by the member for Oakville South with regard to sunset legislation and so on, I heard the same thing last year when members of the opposition recommended that the Management Board of Cabinet carefully analyse and look at each of the programs to determine which were still needed in 1991, which were not, what could be postponed and what could be altered, to bring down the deficit in this province. It was not to wipe out the programs—we need a lot of those programs—but to carefully assess them.

The same Treasurer who stood in this House during his budget and said, "We're here to fight the recession, not deficits," of course had to stand up several months later, in the fall of this year, and announce cutbacks in various ministries. That is reality. I see that even my old ministry, the Ministry of the Environment, took a hit in terms of the constraints. But a year ago we were told: "You're being dinosaurlike. You're using the old way." The Treasurer talked about my being in favour of supply-side economics,

for instance, and being Ronald Reagan-like. That was not the posture I was looking for on that issue.

Looking at the automobile industry, then, I hope we will continue to have policies in this province that will encourage investors to keep their investment in Canada, that will have General Motors booming for a number of years in St Catharines, and TRW and Hayes-Dana Inc all keeping people employed, my neighbours in my neighbourhood, the plurality if not the majority of whom work in the automobile industry.

I also want to comment briefly on the royal visit, because I see the royal visit is on at the present time. I can't tell, because there are a lot of people who are close to the royals today. What I found interesting, and this observation was made by others in this House, was that the government that was so eager—as the member for Welland-Thorold said, it was a bad decision—to remove the oath to the Queen for police officers and some other traditions that are related to Britain and our heritage with Britain, is quick to cosy up to the royal couple when the cameras are flashing. One columnist, the award-winning—or if not award-winning at least well-known—dean of the gallery said in his column that it would take a crowbar to separate the Premier from the royal couple when this visit was on.

Mr Sola: It would take a blowtorch.

Mr Bradley: Someone else suggested it would take a blowtorch to do so, and I suggest to the Treasurer, who would know this talk, Sudbury talk, that it would take a diamond drill to separate them. This is an interesting observation. I just find it ironic that when the royals finally show up, everybody wants to get close to them. I hope our Premier does welcome them and I look forward to having our Premier do so, as our Lieutenant Governor did and as the Governor General of Canada did earlier, but I just find it so ironic that we will be very close to the monarchy at this time.

One of the last things I want to deal with is—

The Deputy Speaker: Excuse me. I hate to have to interrupt you, but I have to make this announcement before 5 o'clock. Pursuant to standing order 33(a), the member for Parkdale has given notice of his dissatisfaction with the answer to his question given by the Minister of Consumer and Commercial Relations concerning elevator accidents. This matter will be debated today at 6 pm.

Mr Bradley: I will be relatively brief in concluding my remarks. I want to get into the field of education. I have been a teacher with the Lincoln County Board of Education in years gone by, and a member of the executive of the Ontario Public School Teachers' Federation at one time. I well remember when the federations were not involved in partisan politics.

I always encouraged teachers within the teaching profession to become involved with three or four different parties. I encouraged their involvement in the political process. I always thought it was unwise, however, for a federation to align itself with any particular political party. The first time I can recall this actually happening was in the by-election in which the present Premier ran.

I remember a good friend of mine, Malcolm Buchanan, who appeared before the committee—by the way, Malcolm must be just shaking at some of the retreats this government is involved in, because he is pretty left-wing. I saw Malcolm at a ballgame the other day and he said something about, “You’re not wearing a red tie,” or something. I just wanted to get back to him on that and say, “If I were wearing a red tie and members of the present government were, how would you know the difference between the two governments?” In Malcolm’s eyes our government could have been quite right-wing, and I am sure the present government is not what he would call left-wing.

Anyway, I remember asking Mr Buchanan several questions about this. The Tory government was in power at the time. I said to the federation representatives who were making representations on another issue that I thought at that time it would be unwise for them to align themselves with any political party. In fact, they were doing that by supporting the Premier in the York South by-election. This was the first I could remember—it may have happened before that—actually supporting a political party. Bette Stenson was the Minister of Education at the time. I said: “You’re going to close the door to the government that’s in power. They’re always going to believe you have a particular agenda if you do that. You’re also going to alienate yourself from the other opposition party.” So I think it could have been wise for them to have stayed away from that.

We had an election campaign and few observers would have any observation other than to say that they heavily favoured the New Democratic Party. One of the reasons may have been because the New Democratic Party said it was going to pay 60% of the cost of education across Ontario.

Mr Stockwell: I’ve got it right here.

Mr Bradley: The agenda for power is in the hands of the member for Etobicoke West—sorry, the Agenda for people.

They said they would pay 60% of the cost of education. Many of my friends in the teaching profession were very disappointed to see that not only are they not paying 60% of the costs this year, but in fact the percentage the province pays dropped for yet another year.

There are many students in Ontario in post-secondary education who thought tuition fees were going to be abolished. Instead, fiscal reality has dictated that this government would raise those tuition fees. There are many within the university community who thought there would be millions upon millions of new dollars infused into post-secondary education, and they in fact have been disappointed that this government has not carried out that policy.

Hon Mr Allen: Twice as many capital dollars as last year.

Mr Bradley: The minister is understandably—I will not say touchy, but understandably concerned when he hears this. When I look at what was expected as compared to what the government has delivered, I am sure the member for Hamilton West would like to see even more delivered, because he is very committed to his particular

portfolio. But this government has not delivered and has done exactly the opposite on tuition to what many people expected would happen.

It is not with anger that I address the assembly today. It is in fact with a sense of disappointment and dismay that I see a government breaking its promises, a government which has got us into a terrible economic mess, a government which is discouraging investment—not deliberately, but through its policies discouraging new investment in Ontario and stampeding others who have money to invest out of this province, as we see plant closedowns.

One thing I wanted to mention was Temagami, because I remember well—I was at Trent University, where some of the people were very strongly opposed to any intrusion into a very pristine area of this province, a beautiful area of the province called Temagami. I understand that they are actually still cutting wood in Temagami, despite the Premier being arrested there for the purpose of getting himself on television. While I saw the member for Victoria-Haliburton being arrested and subsequently convicted for something he believed in, I see that they are still cutting lumber in Temagami.

Today I saw in the paper that there was another change which would potentially allow for development to take place in the area. I am not being particularly critical of that, but I am trying to remember all the people who were so critical of the previous government when it wrestled with a very difficult problem.

1700

The member for Muskoka-Georgian Bay today rose in the House and asked a very ironic question of the Minister of Natural Resources. He was pleading the case of sawmills in the province. It was only months ago that I remember New Democrats and others who support the New Democratic Party talking as though we would not see another tree fall in Ontario. Yet the trees are falling, the cutting is taking place, and there are people who might just be watching this program today who would take note of that.

As for those who sat in in the offices of Liberal ministers to protest, I hope those same people today who were so vociferous in their criticism of previous Conservative and Liberal governments will stick to their principles and, when they feel this government is doing the wrong thing, will not simply apologize for the NDP, will not simply put their NDP card first and their principles second, but will call the government to account in a very public way.

I have had the opportunity to do that to a certain extent this afternoon and I appreciate that opportunity. I know other members of the House will want to join in this debate on the supply motion and I yield the floor now to the next speaker.

Mr Stockwell: I think the very brief outline the member for St Catharines offered as a critique of the government so far in this session, this term, was fair. One thing you must say about the member for St Catharines in his criticism is that it is a fair, fair comment he makes. He is not nearly as outrageous as some in this House—not to name them—but I wish he had gotten a little further involved in

some of the promises this government made, maybe as far back as, say, August 1990.

I will compliment the member for St Catharines and I will just comment briefly on a couple of items I would like to point out. I have with me today the official press release for the announcement of the Agenda for People from the then leader of the official opposition. There are interesting words in here that I think should be added to Hansard so the members across the floor can remember exactly what they were saying a year and a half ago or so at this time.

Some of the statements include, "I started this campaign by saying our party would not be representing an endless catalogue of promises to the people of Ontario." He went on further to suggest in his press release, "We don't use election campaigns to discover problems, promise solutions and then ignore them afterwards." He said, "Many will be borne by the interests that can afford to pay more than their fair share" and he talked about "affordable programs."

I think the next one is a very important one that really cuts to the heart of the issue with this government. They announced on this date, August 19, 1990, during the heat of the campaign—the now Premier stood up during his press conference and said, "The Liberals make promises and they break promises." That was very hard hitting stuff.

I think it was important that those things should be said by this government. Now we can read them back to them. The member for St Catharines outlined a few broken promises. I have the Agenda for People, which is basically an entire broken promise. I would have hoped that he would have gotten a little further into this and I am somewhat disappointed he did not.

Mr Bradley: I appreciate the comments of the member for Etobicoke West. I will not take further time in the House because I have had a great opportunity to speak to various of the issues. I hope that I have been helpful in counselling the government in some. In others no doubt they will ignore what I have had to say, sometimes wisely probably and sometimes unwisely. I appreciate the supportive comments from the member for Etobicoke West and I look forward to his intervention, which I am sure will be more colourful and bombastic than mine and perhaps even more effective than mine will be.

Mr Villeneuve: I too am pleased to participate in this debate on interim supply. I will not be quite as lengthy and full of advice as my colleague the member for St Catharines was, but I do want to suggest some very important things to this government, particularly in the area that affects agriculture, an industry that is in deep trouble and that we sometimes take for granted, and also some of the problems that have been occurring in the part of the province that I very proudly represent.

Certainly the agricultural crisis right now must be touched on. I visited the area of Leamington in Essex county. I was in Lucknow on an evening when over 1,000 very distraught and concerned farmers got together to try and send a message to both the federal and provincial governments.

In the Agenda for People, it was suggested \$100 million would be there in additional assistance and help to agriculture. This was a long time before we wound up with the very depressed prices that we have in grains and oilseeds, the very depressed prices that we have for the red meat industry. A lot of people figure that the red meat industry, because of low grain prices, is rolling merrily along making dollars, but it is not.

These areas are of great concern, because we have here the backbone of the province. The rural parts of this province effectively provide the stimulus and provide much of the employment, and not with a great deal of fanfare. However, it is and very much will remain the backbone of Ontario.

We are finding that small communities in the 1,000 to 5,000 population range dependent on agriculture are very concerned and distressed right now because there is no money being spent other than for absolutely essential items such as groceries. Whenever we have a situation where one farmer in this province provides enough food for over 100 of the residents of this province yet the spouse of this farmer has to take an off-farm job to be able to buy groceries, we have a situation that is purely and simply not tolerable.

The farmers are basically asking the provincial and federal governments to help in a stopgap measure. The government of Ontario has not seen fit to join in the net income stabilization account, a program that was enriched by the federal government in order to promote its use so that it would bring dollars to the agricultural community one year sooner than originally intended. It is one of the safety net programs that was set in place. It is not perfect by any means. However, it is a vehicle that can deliver some cash. The reason the Minister of Agriculture and Food in this province told us was that the program was announced too close to the Treasurer's budget and therefore they were not able to accommodate the \$8 million or so that was required to bring the NISA program to fruition in Ontario this year, in 1991.

Farm-fed grains is another very touchy subject. We had the Ontario Cattlemen's Association meet I believe all caucuses this week. People who grow their own grain at a loss to feed their livestock are being punished, and that must be recognized. It is something that is not at all fair and must be recognized by the provincial government.

The labour legislation that has been leaked through the media to the public is of great concern, as it appears to be now designated to apply to agriculture. As members know, agriculture has been exempt from labour legislation to this point. However, a number of different scenarios are being suggested. They are coming at agriculture at the worst time of all, when the economics have never been worse since the Great Depression of the Dirty Thirties, yet this government intends to have labour legislation oriented to apply basically to agriculture in general and to farm labour in particular, and it is a situation that is of great concern particularly the timing of it right now.

The environmental laws are also making people wonder. The Minister of the Environment today, pursuant to a question from me regarding a problem that has now existed

the town of Caledonia and the surrounding area for some time to seven years—it has not been addressed. Indeed, officials from the ministry are saying that garbage and the types of what I have in photographs here are a natural and normal thing to occur on farms. I am sorry, it is not. It must be addressed and it must be looked at now.

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Production of ethanol would provide a new market for grains and for those items grown on farms that presently are being sold at much less than the cost of production, have alone getting into the profit situation. Ethanol is a win-win-win situation. On numerous occasions I have expounded on the benefits of an ethanol industry in Ontario. It is ironic that in the United States, which this government often points its finger at, saying it is not environmentally conscious, there are two million bushels of grain corn being transformed into ethanol on a daily basis, to create a new market for grain—I readily admit that—but also to reduce the emissions of carbon dioxide and carbon monoxide by between 30% and 40% in all vehicles, particularly in those urban areas where we have the greenhouse effect, where we have pollution, particularly on warm days. That could benefit us. We can use up to 10% ethanol in fuel, and it is a known reducer of both carbon dioxide and carbon monoxide.

Ethanol plants must be set up across the province. Certainly eastern Ontario is a natural. I could go on for an hour to tell members why, but I want to make sure the ministries involved—the Ministry of Energy, the Ministry of Agriculture and Food, the Ministry of the Environment and the Ministry of Municipal Affairs—are fully aware that eastern Ontario must be the home of at least one ethanol production plant, if not more.

Supply management has been of great concern to us all in this Legislature. Under the GATT rules, we have been very concerned about what is happening to article XI, which allows supply management. It allows a price-setting mechanism by producers. It allows import controls at the borders. It allows the meeting of the required commodity domestically and no more. What has happened here is that, all of a sudden, Germany and France have recently come on side and it looks like supply management and article XI will indeed be saved, according to what we see now in the most recent news from the Uruguay round of GATT negotiations.

However, one concern that I have brought to this Legislature on at least occasion is that within this government—the Ministry of Agriculture and Food, to be precise—the Ontario broiler chicken marketing board, which has supply management powers, has been ordered to roll back by 12 cents a kilo the price that broiler chicken producers will be receiving. This was done by the Farm Products Appeal Tribunal. It now appears that if this tribunal does have the power to roll back a cost-of-production formula that has been gospel up until this point, maybe we are having supply management actually undermined at 801 Bay Street. It is something this government keeps on telling us it is there to protect and to make sure it stays in place. But by their very actions, they are doing the opposite. That concerns me very much.

Cross-border shopping is something that must be addressed. We are dealing with different bills that increase the cost of gasoline, cigarettes and alcohol. Those very items have been identified as the main attraction for our Ontario residents to go and purchase goods in the United States. There has been no solution, not even an attempt at a solution. All they have done is make the problem worse. We have dealt with Bills 83 and 84, which increased personal income tax and increased the tax on tobacco, and we will be dealing shortly with legislation that will increase the cost of fuel and alcohol—exactly the wrong direction to reduce cross-border shopping. This government must be told that it is not listening; it is not even going in the right direction. Not adding these taxes would have at least not exacerbated the problem.

The St Lawrence Parks Commission is an organization I am very proud of in the riding I represent. It does stretch into other ridings adjacent to mine along the St Lawrence River. We are still working on the Grenville Park problem. I have contacted the Minister of Tourism and Recreation on a number of occasions and he has advised me that they will be able to make a deal with the Cooper family, which has operated Grenville Park very successfully this year—as a matter of fact, at 100% occupancy—and has effectively got the park fully booked for next year. But they have not been able to come to an understanding that will give the Cooper family a long-term deal so it can go ahead and install the electrical services that campers require on a beautiful site along the St Lawrence River at Johnstown in the southwest corner of the riding I represent. I say to the government, please get going. Get on with the job because this is where we have attracted not only local people but people from out of province and out of country to use the facility and to spend some money in an area that is very economically depressed.

On Sunday I was pleased to assist at graduation exercises. Our volunteer firefighters had taken several days off in their life and schedule, their work, to attend fire prevention graduation exercises. They will go out into their communities and advise local residents how to prevent fires. They have gone through many upgrading exercises whereby they recognize toxic fires and all the rest of it. This is to prevent those situations that could cause damage to property, injury and even death. I commend them and I say to the Solicitor General, who is here with us this afternoon, if he wants to see volunteer fire departments that work well, he should come to Stormont, Dundas and Glengarry. He is always welcome. I put them forward as examples of people we sometimes take for granted, but indeed they provide an excellent service to our community.

Law and order is becoming the number one issue in this province. Law and order is something we took for granted until several years ago. We are now finding a very rapidly escalating number of murders in this city and elsewhere. If we had taken a poll a year ago, law and order would have been down the line. The environment and a number of other items would have been up there. If we ran a poll right now as to the concerns of the average Ontarian in the province, law and order would likely wind up being the number one concern—people's safety and the safety of

their family. This government must not forget that. It is most important that it be addressed now, not as a confrontational issue but together, working with our many police detachments throughout the province.

Finally, I cannot let the opportunity go by without talking about the closure of the registry offices, the most frustrating subject I have ever had to face in almost eight years as an elected member of this Legislature. This government has set out section 123, which says that a political party can take a subject and bring it to a committee, be heard and the government will listen. It is an absolute fallacy. It does not happen. We have even had a solicitor for the Ministry of Consumer and Commercial Relations tell us it is a farce, and this solicitor is acting in a client-solicitor relationship for the Ministry of Consumer and Commercial Relations.

If you want a frustrating situation, registry offices in the riding that I represent, registry offices that have been there for almost 200 years have been made to disappear at the stroke of a pen by a minister who may not even know where Alexandria, Morrisburg and Prescott are. It is very frustrating. I want to put it on the record. I hope this government is listening. I attended the annual meeting of the United Empire Loyalists in my riding on Sunday. Handwritten documents are now being removed from those registry offices. In my other life as a real estate appraiser, I have seen them, penmanship the likes of which you could not duplicate or ever replace. These documents are disappearing. No one knows where they are going. Our history, our signposts of history are being destroyed by the government for no apparent reason.

1720

Mr Conway: I want to say a couple of things about the member who has just spoken, who is probably better situated than most of us to speak about the stresses and strains in rural Ontario today, since there are not too many places that are quite as rural as Moose Creek in Stormont.

I want to concur in his last observation that few things we have done in recent memory have attracted the attention of small-town, rural, eastern Ontario quite like the announcement made some months ago by the Minister of Consumer and Commercial Relations around the closure of what are essentially a dozen small-town rural registry offices. I simply want to say that my friend is right. Genealogical societies, among others, have expressed to me their concern about the real disadvantages that are going to be faced by the societies and their membership as they try to go about accessing public information that has been very readily available to them in communities like l'Orignal, Morrisburg, Alexandria, Almonte, Prescott and other such smaller locales around southeastern Ontario.

Certainly the farm community, the rural part at least of eastern Ontario, which is the part of the province I know best, is experiencing a great deal of pain at the present time. I must say there are few things that have irritated those communities quite like the way in which these closures have been announced and proceeded with. Earlier today in the standing committee on general government we were finalizing the report of that committee on this

particular initiative, and I am simply here to say that the member for S-D-G & East Grenville is correct when he observes that there is ongoing irritation around the way in which rural Ontario has been expected to pay such a disproportionate share of this governmental cost-cutting initiative.

Mr Bradley: A two-minute intervention is a short period of time, but I was pleased to see the member drawing to the attention of the House many of the problems confronting the rural part of Ontario.

On Monday evening, the North Niagara Federation of Agriculture will be having its annual meeting at which Eugene Whelan, who is a very strong supporter of farming people in this province and this country, will be the guest speaker. Members may know that there are many difficulties facing farmers in the Niagara region. They have been begging, cajoling and asking that they have the opportunity to sever part of their properties in the Niagara Peninsula in order to keep their businesses viable. Those of us who have been involved in planning in the Niagara region know that is the first step towards the disappearance of farm land. So we implore the government of Ontario not to change its land use policies in such a way as to permit the paving over of farm land in the Niagara Peninsula.

Equally important as part of this equation is the fact that there must be the necessary support, either through appropriate prices or—probably politically realistic—through government intervention, to assist these farmers who are under unprecedented pressure from offshore, the free trade agreement and the international agreements.

Farming in general is a tough business. I hope this government and the Minister of Agriculture and Food will assist these people appropriately so they will not be selling their property off, so those of us who believe in the preservation of agricultural land can do so in good conscience because we will know we are saving not only the farm land itself but the farmers. They will be looking for this support from this government and from the federal government. Certainly those in the Niagara Peninsula who believe in farm land preservation and the farming industry will be supportive of their efforts.

Mr Villeneuve: I want to thank my two colleagues my good friend the member for Renfrew North and the former Minister of the Environment, the member for Simcoe-Catharines, for their observations.

While the member for Renfrew North sat in cabinet, a new registry office went into his area and the Almonte area, a new registry office that was not intended to be closed down the following year. A quick switch occurred there, and it wound up that Perth was going to be closed down and Almonte was going to be kept open; some gerrymandering the likes of which we have never seen before and this is even before the report from the standing committee on general government was even put together.

It makes you wonder why we are asking our people to come down and make presentations. They do it in good faith. I could never excuse the now Minister of Energy for the way he treated these people when they came to that committee. He told them: "It's nice you came, but we're not listening. We're the government and we can overpower

committee any time." They were actually rougher words than that, and he has been asked by a number of other people to apologize. I do not know whether he has.

As far as farm land preservation is concerned, today we have discussed what is happening to land in Haldimand-Wellington, where there is garbage; there is definitely garbage, and I have photographs here to prove it. The former Minister of the Environment, the member for St Catharines, has said, "Don't allow them to sell." It is interesting that the government of Ontario is now looking at some of the assets it can liquidate to reduce its deficit, yet it would not allow a farm family with some land that is marginal to sell a little of it to try to keep the banker happy. It does not make sense.

Mr Christopherson: I appreciate the opportunity to participate in the debate and discussion on the interim supply bill, and probably more important, some of the overall macro issues that are affecting our province.

I paid particular attention to the previous speaker who talked about the agricultural segment in the province. Representing a downtown, metropolitan area such as Hamilton and the centre, those issues are not necessarily the ones I deal with on a day-to-day basis. Yet clearly the issues of agriculture are as important to this government as any others we face.

I find it interesting that in those comments there were suggestions that we were not doing nearly enough—which is really far from the course in any kind of debate on anything any government does: the opposition says it is not enough; standard fare—and suggestions that somehow this important sector of our economy is being left high and dry.

One of the difficulties in politics is that there are very few real tests one can apply. There are polls, there are elections, but the thing that really matters is the general election. I think what is significant for us here in this house at this time is that, at a point where we are hearing from the opposition that the NDP government in Ontario is not doing badly when it comes to the issue of agriculture, in one of the key agricultural provinces of this great nation it is indeed the NDP that swept to an overwhelming majority. Although I do not live there, I am proud to say my father is from Saskatchewan, and I have to believe that certainly there would have been a great number of farmers who voted in putting the overwhelming majority of New Democrats in that august House in Saskatchewan.

I think of the election just before that in British Columbia where, while agriculture itself is not necessarily the primary industry, certainly the environment, natural resources, growth, the seasons are all things that are very important to that province. Again the same result: a general election, the test that matters, and what happened on that election day? An overwhelming majority of New Democrats sit in that Legislature also.

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I suggest to the previous speaker and others in this house today that on some of the tests that matter, for farmers and for others, when we look at what is happening in our sister provinces across the country, I do not believe a reasonable argument can be made that we are failing so

badly when we see the kind of majority governments that are happening as elections are coming up across this country.

It needs to be pointed out that the leader of the third party, the leader of the Progressive Conservatives, was indeed out across the nation trying to put forward the very arguments that the previous speaker was about the experience in Ontario. In spite of that opinion, we still showed that Canadians clearly are prepared to support the principles, goals and aspirations of a New Democratic government.

I suggest that the experience in Ontario, surely to the contrary of being a problem, played a positive role in the results of those two elections as people recognized not only that we can talk about issues from the point of advocacy but that indeed we can govern well and do it during the worst economic times we have seen in 50 years.

I would also like to pose the suggestion that there are a lot of people in Ontario who, while not as pleased with this government on some issues as we might otherwise hope—I suggest that is not unusual for any government in power—are looking at the kind of recession we are in and the kind of attack the social fabric, the social net of this province is under from the federal government. There are an awful lot of people who quite frankly are pleased that it is New Democrats who are making these tough decisions, because they know the alternative choices the two parties across the way could and would make in these kinds of circumstances and who indeed would pay the price for those decisions.

I look at my own riding, my own community, and I look at the situation of hospitals, of the major transfer payments, an area that is important to the urban centres of our great province. At St Joseph's Hospital and Chedoke-McMaster Hospitals in our community we are faced with some very serious capital funding issues. Yet we are still working, even within this tight fiscal situation, to try and deliver the funds necessary to meet the needs and not do it in a short-term, crass political fashion but rather in a fashion that creates an investment in the community and also plays into the long-term plans of this province that we have for meeting the health needs of the citizens of Ontario. We do that in partnership with those folks. I for one think there are an awful lot of people in Hamilton who are pleased that they see New Democrats sitting here in these circumstances making those kinds of decisions on hospital funding and not other parties.

I can point to the board of education, to the benefits of the anti-recession fund and to money to the municipal councils as other examples of how this government has dealt very differently with the recession than would other parties in the same circumstances. Again, I point to what has happened out west to show that the kind of message the opposition would like to believe it is sending out to the people and to the nation is not being received that way at all.

I would like to touch on two things quickly because I know there are opposition members who wish to speak and I want to give them the opportunity to do so. One of the things I want to mention is partnerships. The Red Hill Creek Expressway was mentioned, a very topical subject today. Not being the ones to answer the questions, it is not

always easy for the local members, as the Speaker and others can appreciate, to put one's own point of view. But with the Red Hill Creek Expressway what did not come out today was the fact that it was the regional chairman of Hamilton-Wentworth, Reg Whynott, who stood beside the Minister of Transportation and wholeheartedly endorsed the process we have and said they were pleased to be working with us in partnership.

I do not suggest for a minute that that means they are backing away from their opposition to our decision and I am not suggesting for a minute that they suddenly think we did the right thing and their position was wrong. But I am suggesting they have recognized our legitimate right to govern on this issue and to make decisions and to set the priorities that we need to. They have also recognized their need to represent the citizens of Hamilton-Wentworth. So they have concluded, as have we, that the best thing to do is to try to work together to find a solution, to find an alternative that goes as far as possible in meeting our goals and needs and also those of the local representatives.

I found it difficult to listen to a member—let's just say from quite a distance away—earlier suggesting that it was being done for crass political reasons, when indeed it was someone who was known to support a party other than this one who stood beside the minister and said he endorsed this; that indeed it was working with the local mayor and regional chairman and regional council that had us bring this here at this point in time, and that in fact it was at the request of the regional council that this meeting was held as soon as possible and hopefully the result of the meeting would be the agreement to the terms of reference.

Those sorts of things do not come out in question period, but I think they need to be said and clarified. Those are the kinds of partnerships, not rhetorical statements, not suggestions that other people have to back away from their positions, but an honest, sincere effort to work together co-operatively to try and find solutions to problems we share in common in a lot of these matters as the senior level of government to municipalities.

I will close in talking about partnerships by also suggesting that our commitment to work with the business community is as strong now as it was in the beginning. It means as much to us as it did in the beginning, and I think it means as much to the citizens of Ontario. But I think it also needs to be said that while our ministers are doing everything they can to make that relationship work, it does not help the situation when we see things such as the employee payroll tax increase that the federal government suggested to pay for its employee wage protection plan and we hear not a peep, nary a peep, from the business community.

Yet we did not fund it that way and all we heard was a barrage of threats that we had better not because of all the dire circumstances. A fair and reasonable person would suggest that is not necessarily applying the same rules to everyone in terms of trying to achieve any kind of a partnership.

I would also point out, last, about our deficit, about which there was such a hue and cry, that when the federal government suggested—we are still seeing more and more of this coming out—that its estimates were so far off that

its deficit may be increased beyond what it projected—\$10 billion—which is greater than our entire deficit, how much did we hear from the business community, from the opposition, about how terrible that was? No. "That was okay that is the way government does business." But we put the cards on the table and said: "Here's the real situation. Here are the real numbers for the next few years," and all we heard was that we had totally lost control of the agenda.

I suggest to members that the good citizens and intelligent voters of Saskatchewan and British Columbia have not been fooled by this kind of nonsense and neither will Ontarians, as they continue to support and watch this government finish out its term and achieve the goals and solutions that we have set forward as best we possibly can under the circumstances we have. I think they will appreciate the fact that it is a New Democratic point of view that is making those decisions and not the alternatives across the House. I thank members for the opportunity to address this House.

1740

Mr Conway: I have heard a lot here in the last few weeks, but that early part of the previous speaker's commentary that, "There may be some people in Ontario who don't like what Uncle Elmer's doing on behalf of the government for the farm community, but we bloody well understand that they appreciate that in Estevan and Lillooet, is a leap of faith if ever I heard one.

I thought I heard you say, Mr Speaker, that there was a domestic debate around what the government was and was not doing in terms of Ontario agricultural policy. To hear my very creative friend the member for Hamilton Centre suggest, "There may be naysayers in Glengarry who don't understand all the good works that the Ontario provincial government is doing with respect to agricultural policy, but you should know that in Turtle Creek and in Fort Smith they really appreciate this," I think is a very interesting connection.

I watched, as I think probably some other members did, the returns the other night from both Vancouver and Saskatchewan. I congratulate the two governments. I think they did quite well. I was particularly struck by the fact that the British Columbia New Democratic Party, losing 2% of the popular vote, managed none the less to substantially increase its share of the seats. I think they have full value for their victory. I have been listening to Mike Harcourt and Roy Romanow over the last few months, actually about the last year. To hear Mike Harcourt on the economy is literally to hear Frank Miller.

If members watched the debate two weeks ago when the CBC reporter put very directly to Mr Harcourt what his intentions were around traditional NDP labour policy, you could not extract an answer from him on that subject for love nor money. To hear Roy Romanow on the virtues of a balanced budget and the values of prudence in public finance is to make one think one was listening to Bob Nixon. I suggest the western Co-operative Commonwealth Federation tradition is not exactly the one we are seeing here, which is giving us \$35-billion worth of additional deficit in four years.

Mr Carr: I want to carry on along those lines. It was interesting; I was reading in Maclean's some of the quotes on the election victory night and the great picture of Mike and some of the other members. On page 15 it says, "Throughout the 28-day campaign, he successfully fended off attempts by Johnston and the Socreds to tie the legacy of David Barrett's free-spending NDP government to Harcourt."

The socialists in this province under the Premier were like David Barrett's, who basically spent so badly they were thrown out of office. "Harcourt stressed that the banks were goals to be put in place when affordable, not policies to be instituted right away, and early in the campaign, Harcourt declared that an NDP would practise"—"practise what?"—"fiscal restraint." Let me repeat that, Mr Speaker. He declared that the NDP government would practise fiscal restraint, a pledge he repeated after the victory when he said, "We have to live within our means."

I only wish the NDP in Ontario had listened to some of the fine statements made by the socialists out in British Columbia, because when statements like that are made, and if they can truly come through with them, all parties should applaud. Unfortunately what we have here in Ontario is not the Mike Harcourt socialists; we have the David Barrett's, who lasted three years and were tossed out.

I was interested to watch Mike Harcourt on Canada Now. He said four times during the interview with the press the following morning "balanced budget." Four times he said it. I would not go quite as far as saying it was Frank Miller, but I hope these people who are championing some of the western NDP are going to take a hard look at themselves and see that maybe they are being a little bit more practical than the government when it has given this province \$10 billion and has saddled the next generation with a deficit we will never come out of.

Mr Johnson: The member for Hamilton Centre has made some very positive and interesting comments. I listened intently to what he had to say. When we compare the governments, or at least the situations, that we have in British Columbia, Saskatchewan and Ontario, there are some very slight or minor similarities, but we all know, as has so often been stated, that the economy of Canada in essence is driven by the engine of Ontario.

I think the similarities end there, because we know that in Saskatchewan, where Roy Romanow is taking over as Premier—he is Premier-elect—he has found a situation even worse than the situation the Premier of Ontario found when becoming Premier. In British Columbia, I would like to think they have not been devastated nearly as much by this recession as we have here in Ontario.

I think all these differences have to be taken into account when you observe the different realities these provinces have to live under. Realistically you can compare, but certainly you have to take into account these very important differences. We in Ontario have lost many more manufacturing and industrial jobs than they have in the other provinces and that is something we have to take into consideration.

Mr Stockwell: It is not very often I disagree with my friend the member for Hamilton Centre, because I think he brings points to the debate that I suppose I disagree with, but I certainly have a belief in his right to express them. I think it is a quantum leap for this member to take any credit for any of the victories out west for the NDP cousins. They distanced themselves from this party as though it was a bad smell, with all due respect. They wanted nothing to do with its deficit financing, its \$35-billion debt in four years or five years.

If anyone could understand that, if any party in this House could understand why, it is certainly ours. They had as much popularity out west as athlete's foot, and the same thing applies to us and the federal government. As quickly as we can distance ourselves from them, their western cousins were distancing themselves from them. Balanced budgets, no deficits: They sounded an awful lot like the Conservatives in Ontario. To suggest for a moment that they should take some credit for this victory is really insulting.

There could be some working together, some collusion; maybe they will ship some workers out there. I am not suggesting that is not good or healthy, and maybe it is appropriate. It really pushes the sense of reason in this House to the furthest limit when this government, which is not even popular in this province, stands up and begins to take credit for socialist victories in British Columbia and Saskatchewan. Please, no more fairy tales.

Mr Christopherson: I would like to just pick up on the last comments of the member for Etobicoke West, which will tie in to the comments of the member for Renfrew North who talked about the fact that I mentioned that those victories out west may have had something to do with the fact that the scare tactics seen by the opposition members did not work.

I wrote down the phrase "pushes the reasoning of the House." It was the phrase used by my friend the member for Etobicoke West and I suggest that there is not a person watching who would not believe and understand that most assuredly, if we had lost those elections, both those members and others would have been screaming that it was because of this government and because of what happened in Ontario. They would have made that connection much stronger than I ever dreamed of doing.

I would also like to thank my colleague the member for Prince Edward-Lennox-South Hastings for his kind observations. They are much appreciated.

1750

I would also like to quickly comment on the member for Oakville South, who talked about parties running for office now saying they will run a government within their means and who talked about a balanced budget. I hearken back again to the fact that it was the third party who ran on a single issue platform of no tax increases and talked about fiscal responsibility. When they talk about "within means," I suggest that what it means is that working people, families in poverty, education systems, municipalities, the environment, all the issues that matter to people, would have paid the price under the slashing and cutting and burning

of a Tory government. That is why they did not form the government and we did.

Mr Callahan: On a Thursday night at 10 minutes to 6, I want the people who are watching this program not to think the channel has suddenly flicked into remote or reverse.

I come from municipal politics. I listened to the member for Etobicoke West and I listened to my colleague from Hamilton, and I think back to the days when I was on municipal council, where parties did not mean anything, or at least they did not in Brampton when I was there. You had an opportunity to get up and speak and try to help the people in your community.

The first time I saw this chamber in 1985 excited me because I thought, "Here is the ultimate of politics, the ultimate opportunity to help people." Having sat here from 1985 and listened to the debates in this House, I have come about that close to quitting, and that may sound naïve but—

Mr Perruzza: We will push you a little the next time around.

Mr Callahan: The member for Yorkview has spoken again at nine minutes to 6. I will not respond to that because it is a political comment.

Mr Christopherson: It's Downsview. You're in dreamland again.

Mr Callahan: Maybe. I just came back from New England in the United States. I think the people in the US, after the controversy that took place there, are looking for government, looking for their representatives to put forward their positions and to accomplish things for them.

I am sure any person who has sat on city council has felt good when he went home at night, because he had accomplished something. We sit around here and gabble gab—

Interjections.

The Acting Speaker (Mr Villeneuve): Order, please. Interjections are out of order, particularly when the member is not in his seat.

Mr Callahan: We sit around here and we play political games. The reality is, people watching this know there is a three-party system in Ontario. The New Democrats, who formed the government, obviously have their own philosophy. The Liberals have theirs, and the Conservatives have theirs. I venture to say that if one was to travel through the caucus of the NDP or through the Liberal caucus or the Conservative caucus, one would find people who are not necessarily married to that philosophy. They go the wide gamut.

I applaud the government. Perhaps it is because of the accident—and I do not say this in a pejorative way—of having formed the government in the last election that it brought people forward who were not necessarily tagged with a totally socialist attitude. They are people who think, who care, who talk in their caucus, who debate the issues. That is reflected by the fact that there are many issues that have been brought forward in this House that appear to be very "cannot change it, no changes, non-negotiable," and

yet members have negotiated. I applaud them for that. I think that is good. Perhaps that has breathed a breath of fresh air into this Legislature.

I happen to have the privilege of chairing the standing committee on public accounts, which is traditionally a non-partisan committee. The people who sit on that committee are people who treat it in that fashion, non-partisan. In treating it in a non-partisan fashion we are trying to accomplish things for the people we represent in our ridings who cannot come to this august chamber, for whatever reason, and express their views. It is a real treat.

I think the people who sit on that committee are marvellous people. We are trying to address the question of alcohol and drug addiction in this province, and perhaps in Canada, perhaps the world. In a sense what we are doing is looking at an issue that affects probably eight out of 10 Canadians directly or indirectly—their children, their husbands, their wives, their fathers-in-law, mothers-in-law. We have an opportunity through that committee to accomplish something that we will be allowed by the House leaders to debate in this House. I challenge those House leaders to allow us one full day of debate on that particular issue, to be able to bring to the fore for the people of this province how important that issue is.

I practised criminal law for 30 years and I can tell members that 70% to 80% of the crimes that are committed in this province or this country or this world are drug or alcohol-related. We have heard people talk about the problem of justice, the problem of being safe in their communities. There is no question that is a very strong commodity in our world today. Look at the United States. Just read *Bonfire of the Vanities*. In the South Bronx the judges and the lawyers and the prosecutors come in in the morning when it is daylight. They order in for lunch because they are concerned about being killed on the street if they go out to lunch. At 4:30 the clerk of the court, like a wagon master, says, "Yo ho." They all go out, 100 or whatever, to their cars and get them before dark and bring them back to the courthouse so they can all go right out to their cars and drive home.

Is that what this province or this country is looking forward to? We are getting there. You look at pockets in the city of Toronto that are drug-infested, where people are being killed and harassed in their apartments. Should we not be concerned that we are going to be a mirror image? We collect megabucks—I wish the Treasurer was here. He is a good friend and I do not criticize him on a Thursday afternoon for not being here. Why is there no money? We collect megadollars in tax for alcohol, booze of all types, cigarettes and so on. Where is that money going? Why is it not being allocated towards helping these people who have drug or alcohol problems?

We heard this morning from a representative of Portage Ontario. It is the only program in place for young people, the jewel of our society, our next generation, our leaders, the people who are going to carry on after many of us are retired and dead. They have room for 42 young offenders in the totality of the province, which has to be 10 million now. There is nothing else—nothing.

When we talked to the person who runs this program I am very curious to find out whether or not the question of alcohol and drug abuse was linked with the question of having a learning-disabled kid. I have to tell members—I hope to bore them and I hope to continue this—that he told the percentage of kids who had learning disabilities was staggering, kids who had wound up having a bad feeling about themselves.

I am going to tell members, just to wrap up, and I intend to adjourn the debate because I would like to speak on this at great length, so members should get ready for

The Acting Speaker: The honourable member does not have to adjourn the debate. He will automatically have the floor upon resumption.

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Mr Callahan: To give some continuity to it, one of the reasons I got into this place was because of the Halliwell report, which absolutely destroyed, in my view—

Hon Mr Cooke: It was a fluke.

Mr Callahan: If the government House leader says it is a fluke—

The Acting Speaker: Order. We have considerable business to conduct beyond 6 of the clock. We are already beyond 6 of the clock. I would appreciate it if the member for Brampton South—

Mr Callahan: Thank you very much, Mr Speaker. Everybody have a nice weekend.

VISITOR

The Acting Speaker: I would like all members at this time to welcome back a former member of this assembly sitting in the west gallery this afternoon, a former member for Wentworth East, Ms Shirley Collins.

BUSINESS OF THE HOUSE

Hon Mr Cooke: Pursuant to standing order 53, I would like to indicate the business of the House for the coming week:

On Monday, October 28, we will conclude discussion on the motion for interim supply, followed by second reading consideration of Bill 85, the Fuel Tax Amendment Act.

On Tuesday, October 29, and Wednesday, October 30, we will continue with debate on Bill 85, followed by Bill 86, the Gasoline Tax Amendment Act, and Bill 130, the Retail Sales Tax Amendment Act.

On Thursday, October 30 in the morning, we will deal with private members' business: ballot item 41 standing in the name of the member for Parkdale and ballot item 42 standing in the name of the member for Wellington. In the afternoon we will begin second reading debate of Bill 126, the Electronic Registration Act, and Bill 131, the Fire Mar-als Amendment Act.

ELEVATOR INSPECTIONS

The Acting Speaker: Pursuant to standing order 53(a), the member for Parkdale has given notice of his dissatisfaction with the answer to his question given by the Minister of Consumer and Commercial Relations concern-

ing elevator accidents. This matter will now be debated. The honourable member for Parkdale has five minutes. The honourable minister will have five minutes in reply.

Mr Ruprecht: The Minister of Consumer and Commercial Relations is responsible for the safe operation of all elevators and she tells us today: "The act already requires that owners have regular maintenance inspections done by a contractor registered with my ministry. I am aware that there have been problems and that we need to make sure that it works, but that is already in place, I am happy to say."

If this legislation is so good, why is it that her own chief engineer in charge of elevators said, at the inquest where two people were crushed to death, "We do what we feel is the bare minimum to do"? If she is so happy that legislation is in place, why did the policy manager in the Ministry of Housing write to me just three weeks ago that (1) the Elevating Devices Act has no requirement that elevators be restored to service, and (2) "There is no provision in the legislation to require an owner to make the necessary repairs, and there appears to be no mechanism to provide the elevating devices branch with the ability to make the necessary repairs or charge the cost back to the owner"?

The city of Toronto's director of inspections also disagrees with the minister responsible for elevators. He writes to me:

"Dear Mr Ruprecht:

"I urge that the Ministry of Consumer and Commercial Relations speed up the process of adopting the proposed B44 standards and maintenance contract and consider making it mandatory."

Even the mayor of the city of Toronto thinks this minister is out to lunch, and he writes to me:

"The current Elevating Devices Act, along with amendments under consideration by the Ministry of Consumer and Commercial Relations, does not contain requirements that an elevator be maintained in service. The option of removing an elevator from service if it is in an unsafe condition in lieu of repairing it will continue to be an option available to the owner of a residential rental building.

"Your bill"—that is Bill 139, which I am proposing—"would require landlords of residential rental properties containing elevators to enter into an agreement for regular maintenance of the elevator. Further, the bill would also require that all elevators intended for the tenants in the building be kept in service, except for such reasonable time as may be required for maintenance, repair or replacement.

"I support this private member's bill and I recommend it be passed into law as soon as possible."

Clearly, if all the people I have quoted are wrong and unable to understand the existing elevator law, will the minister accept responsibility today for the 2,288 battered people caught in elevator accidents and rescued by our fire department in the city of Toronto alone? Will she, today, take responsibility for the thousands of seniors and disabled people who have to use an elevator and cannot because the elevator is shut down at times for days at a time,

or will she finally wake up and create an elevator law that will ensure safe and efficient operation of elevators?

I have proposed such a law, Bill 139, and only hope and trust that the Minister of Consumer and Commercial Relations will understand the traumatic experiences people go through when caught in an accident, and finally stand up and act and create a bill that all of us can live with and that all of us across Ontario, not only in Toronto, will be able to feel safe with.

Hon Ms Churley: First of all, I want to thank the member for his interest in this important issue. I certainly think elevator safety is of importance to all of us.

I just want to clarify what I said this afternoon, which there seems to be some confusion about. Under section 22 of the Elevating Devices Act, which I have here, every owner of an elevator must ensure that the device is maintained and inspected by a contractor registered with the Ministry of Consumer and Commercial Relations. It is right in here, as I said earlier today, and the member disputed it.

The question of what a licence means I think is quite legitimate, and that may be what the member is getting at. Just as an automobile licence is not a safety certificate, an elevator licence is not either. It is a way of keeping track of owners when buildings change hands.

Mr Ruprecht: That's why there's chaos here.

Hon Ms Churley: I showed the courtesy of listening to the member. Now he should listen to me.

In the case of prosecution, it provides information as to who is responsible for the device. I want to stress that the responsibility for detailed, ongoing inspection and maintenance of elevators rests with the owner and the contractor, not the government inspectors. The legislation is very clear on that.

Mr Ruprecht: It's so clear that thousands are stuck.

Hon Ms Churley: The question of serviceability is a much more difficult one. There are approximately 22,000 elevators in this province. Is the member suggesting that if an owner decides not to repair an unsafe elevator, the province should step in and maintain apartment building elevators?

Mr Ruprecht: That's what we're proposing exactly.

Hon Ms Churley: Landlords may remove elevators from service for non-safety reasons, such as selective use for building maintenance, or they may claim an inability to finance repair work. That is what is going on right now.

There are also disputes over payment for service, which sometimes result in the contractor refusing to perform work pending resolution, and that means the elevator is shut down while the two parties work it out.

It is also interesting to note that municipalities have tried to enforce bylaws requiring owners to maintain serviceability that have proven largely ineffective and unenforceable. I think we both agree on that.

But the province has no desire to get into the elevator maintenance business, nor do I think it should. We have to work out the problems that exist with the municipalities and the contractors, because we agree there is a problem when elevators are not operating. I know senior citizens and disabled tenants have particularly been harmed by this problem. However, public safety is my primary concern.

The member made several references to numbers and I would like to bring him up to date at this time. In 1990 in Ontario there were less than 75 elevating device failures, resulting in less than 10 serious injuries. I agree, though, any injuries are to be taken seriously and we would like to eliminate all of those.

According to Elevator World, which is a trade magazine, the elevating devices branch of my ministry—this is from April 1991—is “recognized worldwide as a premium regulatory operation.” Having said that, I also agree we can do better and I am working to make sure we do.

The article went on to say that, if anything, there are fewer elevator and escalator incidents and accidents in Ontario per inhabitant than in jurisdictions with a like population. Ontario does have one of the best records of all the provinces in terms of protecting public safety.

As I mentioned earlier today, I am taking a comprehensive approach to elevator safety. Instead of performing inspections at meaningless intervals, we perform high-quality, targeted inspections on the basis of need. We consider the age, quality and maintenance of the equipment as well as the manufacturer's recommendations.

The people of Ontario should know that we inspect every new elevator before it is licensed to operate. We also inspect elevators that have undergone major alterations before they are allowed to return to service. Again public safety is our first priority. Since 1990 my ministry has been actively following a 10-point safety plan, which the Liberals did not do, that includes the ongoing development and revision of elevator safety and codes. We are working on this ambitious plan, and I hope I get the assistance of my colleague across the floor in making it work.

The Acting Speaker: There being no further business to be debated, this House is deemed to be adjourned and will stand adjourned until Monday, October 28, at 1:30 of the clock.

The House adjourned at 1812.

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lips, Gerry (Scarborough-Agincourt L)

Key, Hon/L'hon Allan (Oshawa ND) Solicitor General, Minister of Correctional Services/Solliciteur général, ministre des Services correctionnels

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a, John (Mississauga East/-Est L)

bara, Gregory S. (York Centre/-Centre L)

rling, Norman W. (Carleton PC)

ckwell, Chris (Etobicoke West/-Ouest PC)

livan, Barbara (Halton Centre/-Centre L)

herland, Kimble (Oxford ND) PA to Chairman of the Management Board of Cabinet; Vice-Chair, standing committee on finance and economic affairs/Ap du président du Conseil de gestion du gouvernement, vice-président du Comité permanent des finances et des affaires économiques

arbrick, Anne (Scarborough West/-Ouest ND)

son, David (Dufferin-Peel PC)

rnbull, David (York Mills PC)

leneuve, Noble (S-D-G & East Grenville/S.-D.-G. & Grenville-Est PC) Second Deputy Chair of the Committee of the Whole House/Deuxième vice-président du Comité plénier de l'Assemblée législative

ard, Brad (Brantford ND) PA to Minister of Industry, Trade and Technology with responsibility for trade and technology/Ap du ministre de l'Industrie, du Commerce et de la Technologie et délégué au Commerce et à la Technologie

Ward, Margery (Don Mills ND) PA to Minister of Government Services/Ap du ministre des Services gouvernementaux

Wark-Martyn, Hon/L'hon Shelley (Port Arthur ND) Minister of Revenue/Ministre du Revenu

Warner, Hon/L'hon David (Scarborough-Ellesmere ND) Speaker; Co-Chair, special committee on the parliamentary precinct/Président, coprésident du Comité extraordinaire de l'enceinte parlementaire

Waters, Daniel (Muskoka-Georgian Bay/Muskoka-Baie-Georgienne ND) PA to Minister of Tourism and Recreation; Vice-Chair, standing committee on resources development/Ap du ministre du Tourisme et des Loisirs, vice-président du Comité permanent du développement des ressources

Wessinger, Paul (Simcoe Centre/-Centre ND) PA to Minister of Health/Ap de la ministre de la Santé

White, Drummond (Durham Centre/-Centre ND) Chair, standing committee on regulations and private bills/Président du Comité permanent des règlements et projets de loi privés

Wildman, Hon/L'hon Bud (Algoma ND) Minister of Natural Resources, minister responsible for native affairs/Ministre des Ressources naturelles, ministre délégué aux Affaires autochtones

Wilson, Hon/L'hon Fred (Frontenac-Addington ND) Minister of Government Services/Ministre des Services gouvernementaux

Wilson, Gary (Kingston and The Islands/Kingston et Les Îles ND) PA to Minister of Culture and Communications/Ap de la ministre de la Culture et des Communications

Wilson, Jim (Simcoe West/-Ouest PC)

Winninger, David (London South/-Sud ND) PA to Attorney General, PA to minister responsible for native affairs/Ap du Procureur général, ap du ministre délégué aux Affaires autochtones

Wiseman, Jim (Durham West/Durham-Ouest ND) PA to Minister of Correctional Services/Ap du ministre des Services correctionnels

Witmer, Elizabeth (Waterloo North/-Nord PC)

Wood, Len (Cochrane North/-Nord ND) PA to Minister of Natural Resources/Ap du ministre des Ressources naturelles

Ziemba, Hon/L'hon Elaine (High Park-Swansea ND) Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations/Ministre des Affaires civiques, déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales

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Legislative Assembly
of Ontario

First Session, 35th Parliament

Official Report of Debates (Hansard)

Monday 28 October 1991

Assemblée législative
de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le lundi 28 octobre 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Numbering of Hansard

Effective with the opening of the Second Session of the 35th Parliament, Hansard issues and pages will once again be numbered on a sessional basis. Hansard numbering therefore will become consistent with Orders and Notices and Votes and Proceedings, and with other parliamentary publications throughout Canada.

For the last two years Hansard has been numbered according to the calendar year. Under this system, the numbering of issues and pages was restarted with the first issue in the calendar year, regardless of session or Parliament.

Under the new system, the sequence of numbering started in January 1991 will end with the final House and committee sittings of the present First Session. A new sequence will begin on the opening day of the Second Session, and each succeeding session, which will be issue 1 and begin with page 1. Committee reports likewise will be numbered from the first sitting of each committee in a parliamentary session.

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Table des matières

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Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 325-7400.

Numérotation du Journal des débats

A partir du début de la deuxième session de la 35^e législature, les pages et les numéros du Journal des débats seront de nouveau numérotés par session. La numérotation du Journal des débats correspondra donc à celle de Feuilleton et Avis et de Procès-verbaux, ainsi qu'à celle des autres publications parlementaires au Canada.

Depuis deux ans, le Journal des débats était numéroté par année civile. Avec ce système, la numérotation des numéros et des pages recommençait au premier numéro de l'année civile, quelle que soit la session ou la législature.

Avec le nouveau système, la numérotation commencée en janvier 1991 s'arrêtera à la dernière séance de la Chambre et des comités de l'actuelle première session. Une nouvelle série commencera le jour de l'ouverture de la deuxième session et des sessions suivantes : numéro 1, page 1. Les rapports des comités seront également numérotés à partir de la première séance de chaque comité pour une session parlementaire donnée.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 28 October 1991

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

WASTE MANAGEMENT LEGISLATION

Mr McClelland: Last Thursday in this Legislature the Minister of the Environment introduced the Waste Management Act, 1991. I want to indicate right at the outset that the minister is using the last government's waste reduction targets.

I want to say to the minister, and I am sure she will add this on the record, when I as critic and my colleagues challenge this legislation, as we will, she should not think at a moment that she can dismiss the criticism by charging that we are not supporting waste reduction initiatives.

The minister has attempted to hide her retreat and, I think with some reservation, the hypocrisy of the Premier in relying on their solemn commitment not to expand Keele Valley or Britannia without a full environmental assessment or environmental hearing of any kind.

Dealing with that very contentious issue in the same legislation as waste reduction initiatives is unacceptable to my party and to most members of this House. The people of this province expected better of this minister and they deserve better. I ask her to at least have the courage to deal with her waste reduction initiatives in separate legislation from that which she is putting forward and the use of her emergency powers to expand those facilities.

She can sugar-coat this bitter pill for the people in and around Keele Valley and Britannia however she wants with her waste reduction philosophy, but it will not work. The people of the province will see through that and they will not accept it. She may think it is clever, but it is criticism and political manoeuvring, legislative manoeuvring at its worst. I expected better of that minister.

PRESCRIPTION DRUGS

Mr J. Wilson: My statement is to the Minister of Health and it concerns a flagrant abuse of our medical system. About 200 slick, professional con men are scamming the Ontario medical system out of hundreds of thousands of dollars annually, and in the process they are giving new meaning to the term "drug trade."

Potentially dangerous painkilling prescription drugs such as Dilaudid, known as drugstore heroin, are being sold on the street at a value of \$120 a tablet. An entire infrastructure of drug pushers has formed to capitalize on a health system that is in disarray and incapable of checking who is getting what drugs and in what quantity.

I strongly urge the minister to investigate these startling occurrences. The Ontario Medical Association feels that a central computer system could hold the key to wiping out this illicit trade that has been flourishing for the best several years.

The Ontario Ministry of Health will spend some \$17 billion this year on health care. Scarce resources should not in any way go towards subsidizing this prescription drug trade. I am calling on the Minister of Health today to begin the process of assisting the Ontario Medical Association to implement a central computer system that thwarts criminals from acquiring endless supplies of powerful prescription drugs.

All members must consider the message that is being sent out to drug dealers and pushers of illegal drugs when you consider that we do not have in place a system that can effectively police the sale of prescription drugs.

VICTORIA-HALIBURTON ECONOMIC DEVELOPMENT ACTION COMMITTEE

Mr Drainville: I want to draw the attention of the members of this House to the important work that has begun on economic renewal in Victoria-Haliburton. Last week I was joined by over 50 community leaders to create a non-partisan, results-oriented group we call the Victoria-Haliburton Economic Development Action Committee.

Made up of business, community, labour, agriculture, cultural and education leaders, as well as politicians and civil servants from all levels of government, we have committed ourselves to finding ways to boost economic renewal in our community.

At the meeting on Thursday, October 24, we itemized the many barriers we face to achieving economic renewal. These included government policies and red tape, insufficient financing, a lack of proper marketing and inadequate education to meet the needs of the four key economic sectors in Victoria-Haliburton: tourism, agriculture, manufacturing and general services.

As a group, we began to identify possible solutions that could end the recession. Solutions included putting time limits on approval processes, developing a marketing strategy for tourism, assisting farmers in creating stronger land controls and working with various groups to develop an environmentally friendly forest industry for small and medium land holders.

All these suggestions were well received. It must be said that we intend to work on these things in the next number of months as a group. It has given me a great opportunity to talk about the good things that are happening on the economic development side.

MINISTERIAL STATEMENTS

Ms Poole: Today I have a present for the government House leader. It is a map of the Legislative Assembly. Over the past weeks there has been a little problem. The Attorney General, the Solicitor General and the ministers of Housing, Consumer and Commercial Relations, Tourism, Health, Energy, Colleges and Universities and Community and Social Services all forgot where they were. Instead of making ministerial statements in this area in red, here inside the chamber where they say things like that,

they made them outside, here in the area marked in green, which is where the scrum usually occurs.

This is a problem that really cannot continue much longer. I know it is a technical problem and the ministers do not know exactly where the chamber is. Even the government House leader sometimes does not seem too sure about it. Just for the record, ministers make statements and answer questions in this area in red. When they go outside, they actually answer questions from the reporters in the green area. It is not a difficult task, but it is one that is fairly straightforward and pretty important.

I would simply like to leave this map with the government House leader. He can show the ministers where the chamber is so they can come in here and say exactly what it is they want to do. Then we will all know, and the people of Ontario will know exactly what this secret government of Ontario is doing.

VOLUNTEERS

Mr Jordan: Today I rise to salute the outstanding men and women in my riding of Lanark-Renfrew who have allowed their names to stand for public office in the November 12 municipal elections. Whether they are running for mayor, reeve, deputy reeve, councillor, school trustee, hydro or water commissioner, they deserve our heartfelt congratulations. It matters not if candidates are successful on election day. What counts is that these people have cared enough about the future of their communities and this province to get involved.

Volunteers are the backbone of this province and contribute a great deal to our system. For the candidates who do not get elected, there are many projects in the riding worthy of their attention and involvement. One such project, the formation of the James Naismith Foundation, reached a milestone on Saturday when a plaque dedicated to the founder of basketball was unveiled at Naismith Public School in Almonte. It is expected there will be many more milestones as volunteers like Geoff Mace and his support group strive to honour Ramsay township native Dr James Naismith at a proposed permanent site near Almonte.

Congratulations to the many volunteers in Lanark-Renfrew and across this province, and good luck to municipal candidates on November 12.

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REVISED STATUTES OF ONTARIO, 1990

LOIS REFONDUES DE L'ONTARIO DE 1990

M. Bisson : Je tiens à féliciter le Procureur général de la province, qui a annoncé aujourd'hui la publication des Lois refondues de l'Ontario de 1990.

La révision des Lois refondues de l'Ontario est le prolongement de la tradition de notre province de publier ses Lois refondues et codifiées à tous les dix ans. Les Lois refondues de l'Ontario de 1990 représentent la onzième révision et codification des lois depuis la Confédération.

Cette publication marque un tournant important dans l'histoire canadienne du droit. En effet, pour la première fois, les Lois refondues sont publiées en anglais et en français. De plus, toutes les connotations à caractère sexiste

ont été éliminées, les expressions de droit périmées ont été éliminées et cette publication a été imprimée sur du papier recyclé.

La traduction de ces documents démontre l'engagement continu de notre gouvernement de répondre aux besoins des citoyens et citoyennes de la francophonie de l'Ontario. L'utilisation d'une langue non sexiste dans les Lois est une preuve que le gouvernement et le système judiciaire sont attachés à l'égalité des femmes dans notre société.

I wish to congratulate the revision commissioners and members of the office of legislative counsel on their dedication and expertise in producing this precedent-setting work—Donald Revell, chief legislative counsel, Sidna Tucker, Cornelia Schuh, Michael Wood, Edward Wells, Jean Brunet and Christopher Wernham—as well as many other people who have helped to produce this excellent work.

INVESTIGATION INTO RELEASE OF DOCUMENTS

Mr Phillips: I rise today on a matter of significant importance to all the members of the House and, I think, to the people of Ontario. Twice in the past four months NDP government ministers have ordered the OPP anti-racketeering squad to conduct official investigations as to how opposition members came into possession of relatively minor government documents.

What we are dealing with here is one of the most basic and fundamental issues in our society. It is a basic tenet of freedom from fear, freedom to live in a society and conduct one's business without fear of harassment from high authority. If the government of this province feels it can use the OPP to investigate the release of relatively minor documents such as the ones in question, then there has to be great fear expressed as to where such actions eventually lead us. Where does it end? How far will this government go? Are the members of this House going to be followed? Are their phones going to be tapped? Who knows? It may sound farfetched, but the threat is very real.

Civilian control of our police force has been a fundamental tenet of this country since our inception. What are we asking the police to think of a government that uses the police force to silence opposition?

In closing, I would like to say that it is an embarrassment to the government that I have to stand in the House to raise this issue. It is time for the Premier to stand in the House and say: "No more. This harassment of the opposition will not continue. It's over."

SKILLS TRAINING

Mr Carr: Ontario's future prosperity is hinged on its ability to competitively confront the economic and social challenges of tomorrow. The key to competitiveness is undoubtedly the education and training of our workforce. Highly skilled employees actively meeting the demands of a more globalized economy will ensure the standard of living now enjoyed in this province for future generations and will open the doors to gainful employment opportunities on tomorrow's cutting edge.

Last Thursday, Harvard University economist Michael Porter released his report on Canada's competitiveness. H

nts to the current inadequacy of many citizens' basic skills and the inferior vocational apprenticeship training programs for specialized skills available to citizens as examples of where our competitiveness is already floundering.

The recent report by the Commission of Inquiry on Canadian University Education also urges us to take a hard look at our future competitiveness. The dropout rate of Canadian high schools and the low literacy and numeracy skills of our workforce begs the question, "Are we ready to face tomorrow's world?"

The federal and Ontario governments announced last week their joint plan to commit to job training. While this may be viewed as a step in the right direction, as Porter indicated, the battle to regain Canada's competitiveness must be fought over decades. Neither the province nor the federal government should be allowed to make the mistake of thinking that one right move will secure Canada's competitive future. This is a battle of decades and it must be fought severely.

WATER QUALITY

Mr Farnan: On Monday, October 21, the member for Markham made a member's statement with regard to a spring located on the west side of Highway 24 between Cambridge and the North Dumfries township cutoff for Glen Morris. He suggested, "This government is playing games with residents in that area."

The only one playing games is the member for Markham. In the past, water readings at this location have found intermittent elevated coliform bacterial levels. This is not caused by pavement or granular material, but rather is associated with human and animal waste. Further, during Ministry of Transportation construction, the health unit took samples and found the water unsafe for human consumption. At the request of the Waterloo Regional Health Unit, MOT took responsible action:

1. The public was notified of the situation.
2. The public was advised of the responsible action taken by MOT to sign the location as unsafe and to remove the raised outlet.
3. The public was informed of the proposal to remove access to the spring, and an opportunity was provided for public comment.
4. Currently, MOT is meeting with mandated government agencies to develop an appropriate strategy to bring the spring back to the public.
5. The public will have the opportunity for further input.

In the eyes of the member for Markham, this may amount to playing games. However, I venture to suggest that in the eyes of any fairminded individual, these actions and the process of public consultation in this matter represent a responsible approach to government.

NEWSPAPER REPORT

Mr Kormos: I rise on a matter of privilege, Mr Speaker. Recently, in Friday's Toronto Star, there was coverage of a local cable television interview that I did with the member for St Catharines-Brock. The reportage of that television interview is in itself good and fine. However,

there is one paragraph in which the author of that article describes me as labelling ministers pejoratively and that paragraph is entirely false and untrue. The thousands of people who saw that program in Niagara region acknowledge that. The Welland Tribune, which similarly wrote about the program, recognizes that. For some reason, the Toronto Star did not.

While I am not beyond being critical of some of our government's decisions—I have learned during two years of opposition while sitting with the best of them—and while I am not beyond being critical of certain elements in our bureaucracy, I will tell members I have nothing but respect for this province's cabinet. I as much as anybody know how difficult it is to be and to remain in the cabinet.

The reporter may well have had his own reasons for stirring the pot, but his inaccuracies are not helpful. I am quite capable of ruffling feathers on my own.

I want to tell you, Mr Speaker, as part of the matter I rise on, that I remain a faithful and proud New Democrat. I am eager to see this new government succeed and set an example for governments across Canada. I value the privilege that I have to be outspoken, to be candid and to be forthright in my commentary about things concerning this government and other matters in the province.

The Deputy Speaker: I have listened attentively to your statement and it is not a point of privilege.

ORAL QUESTIONS

GASOLINE PRICES

Mr Elston: I look over across the way and see that quite a number of people are away. I noted that there were again no statements by the government about the business of the government. I cannot believe there is not something they should be doing here, but let me start by addressing a question to my favourite storyteller, the member for Nickel Belt, who is also the gentleman who looks after the Premier's business when he is away with the royal couple these days.

I had the opportunity of travelling to several communities last week to talk to the individual women and men who are in business, who have lived in the communities all their lives and have never found a time when retailing and business, in border communities in particular but even in those communities a little more remote from the border, have been as bad.

1350

One thing that is quite clear is that increasing taxes have caused considerable problems. In fact, studies from the Ministry of Industry, Trade and Technology have suggested that out-shopping—or cross-border shopping, as it has been known to many of us—has cost us in the neighbourhood of \$1.2 billion in retail sales.

A full 80% of the people who go across the borders of this province to shop will buy gasoline. As a result, gasoline prices are critical to salvaging some of those lost retail dollars. Will the Treasurer tell us today that he acknowledges the difficulties increased gasoline taxes create and that a reduction in gasoline tax would have a positive effect on keeping shoppers at home in Ontario?

Hon Mr Laughren: I am very much aware, as is the entire government, of the whole problem of cross-border shopping. That is why there was a committee set up with the federal government, the provincial government and the border communities to see what could be done about it.

We recognize that there is no question that taxes of different kinds, whether on cigarettes, gasoline or whatever, are a factor in cross-border shopping. To deny that would be to deny the obvious. At the same time, I do not believe and never have believed that the central problem in cross-border shopping is the level of gasoline taxes.

I have said in this House before that when we were looking at the whole question of gasoline taxes, we looked at the level of taxes here and in the United States. We could have completely eroded our gasoline tax base and still the product would have been priced higher here than across the border, so the cost of removing the taxes from gasoline would be enormous in terms of our ability to deliver the services the member opposite is continuing to demand that we do.

Mr Elston: There comes a time in this business when you have to understand that increasing the taxes day after day will only drive away our retail sales and erode the very tax base that the gentleman from Nickel Belt is trying to maintain. It is my view that the current fuel tax bill that is part of this Treasurer's budget should be removed in its entirety to try to salvage the tax dollars that are escaping us now as people are driven across the border to shop not only for gasoline but for other things. Will the Treasurer commit in front of this House to withdrawing the fuel tax bill?

Hon Mr Laughren: I do not think the leader of the official opposition really believes that if we remove the 1.7-cent-per-litre tax and the 1.7 cents coming up in January, it will resolve the cross-border shopping problem. Furthermore, I wish the leader opposite would get his message straight over there, because he and his colleagues one day are on their feet asking us to reduce our revenues and the next day are on their feet asking us to increase the level of services those taxes pay for in the province.

Mr Elston: The people of Ontario know this government has done nothing. These people are a do-nothing government. They are unwilling to take a step that will assist people in dealing with the loss of jobs and with the loss of tax revenue. I ask this gentleman to take a look at what happened in Denmark, where the cross-border shopping issue was addressed by reducing taxes, and in the result ended up generating sales at home that helped them to stabilize their tax revenues.

I ask this gentleman if he will allow us to pass his fuel tax bill so he can keep the money he has collected so far, but then eliminate the 1.7 cents he has put on a litre of fuel and also forgo the increase in January, which will have a minimal effect on this year's budget anyway, but which could assist him in maintaining a good number of the retail sales here in Ontario and allow the border towns to think that at least people are trying to do something, when they have seen nothing of substance so far.

Hon Mr Laughren: I think it would be irresponsible for this government, at a time when we are trying very

hard to cope with a severe recession, to start eroding the tax base that delivers the services so many people are demanding. I must say I find it passing strange that after having been in office for five years, the official opposition would suddenly discover that taxes have a bearing on there in the province at all in terms of our economic health. Of course the taxes have a bearing, but for the member opposite to stand in his place and imply that we are a do-nothing government is simply unfair. I would ask the member opposite to go to Sault Ste Marie and tell the people there that we have done nothing to help them out when they found themselves in very dire straits, to go to the people in Elliot Lake, to go to the people in Kapuskasing, to talk to the people who work at de Havilland.

The member opposite is being most unfair, because he is implying that we can somehow deliver services to the people of this province at the same time we erode the tax base that provides for those services.

APPOINTMENT OF ASSISTANT DEPUTY MINISTER

Mr Sorbara: I would just tell the Treasurer that the people of Ontario are looking for a little bit of tax relief.

My question is to the Attorney General. On the weekend, the Attorney General tried to put to rest some very serious rumours about his impending resignation given the dispute currently raging over the possible appointment of lawyer Michael Code as the assistant deputy minister of criminal prosecutions. I want to tell members that Michael Code is, I guess, a competent but highly controversial lawyer, one of the most outspoken critics, during his career, of the police forces of the province and the crown attorney of the province.

In the dispute that is raging, we have on the one hand the Attorney General trying to defend the integrity of the crown law office within his ministry, and on the other hand we have the Premier and the people in the Premier's office trying to insist on the appointment of Michael Code.

I simply ask the Attorney General how long he will continue to defend the integrity of his ministry and whether he will continue to resist the appointment of Michael Code as the assistant deputy minister of criminal prosecutions in this province.

Hon Mr Hampton: It would appear that my colleague the member for Nickel Belt has lost his title as the storyteller of the Legislature.

Let me say this: I received word that a certain article was going to be printed in the Law Times. As indicated in the Law Times, I had no comment on the story. I have already commented in the press, however, that at no time have I discussed resigning and at no time have I talked with anyone about resigning.

I would say to the honourable member that he should read carefully some of the things he sees in the newspaper and he should perhaps think about where they might come from and whether there is any validity to them at all.

Mr Sorbara: Thus far, the only thing we have heard from the Attorney General is that he is avoiding the question here today. This office has now been vacant for some 14 months, since August 1990, even before the last provincial election. This is the office of the man or woman

fully responsible for criminal prosecutions in this province, and that office has remained vacant.

Meanwhile, the criminal justice system is in disarray. Public faith in the integrity of the justice system has been damaged. Thousands and thousands of cases have been dismissed. There is an increasing backlog, notwithstanding that the Attorney General undertook nine and a half months ago to deal with the backlog, and we still have no assistant deputy minister for criminal prosecutions in this province.

We have on the one side the Premier, who is insisting that Michael Code be appointed. I want to tell the Attorney General that we support him in defending the position of crown law officers, who say this appointment would be very damaging. I ask the Attorney General once again: Will he continue to resist the appointment or will he tell this house now what his position is in respect of a critical office which has remained vacant for some 14 months? Does he understand he has to take responsibility for this?

Hon Mr Hampton: Once again I find I must reject assertions made by the honourable member. The fact of the matter is that the office of the assistant deputy minister for criminal law has been occupied on an acting basis over the last 14 months by someone who is quite capable, someone who was appointed by my predecessor, and I agree with that appointment.

I could also say to the honourable member that the person who is now acting assistant deputy minister for criminal law has done the province very great service in terms of navigating us through some very difficult times in criminal law, to the point that of all the criminal charges that have been laid since the Askov judgement of last year, 95% of them will come to trial within eight months. So I can say to the member that his assertions are simply false.

Mr Sorbara: I do not have any difficulty with the work being done by the acting assistant deputy minister. The problem here is that the Premier is acting as the Attorney General and trying to take away the right of the Attorney General, and I support the Attorney General in his termination as to determining who ought to hold that office.

But the Attorney General was not silent. He commented as follows to the Toronto Star on the weekend: "The job would be a challenge for someone with Mr Code's history as a criminal defence lawyer" and "It is a very difficult job and requires a lot of ability and a lot of experience." I want to tell him that we agree with that.

On the other hand, we have the Premier attempting to politicize just about every ministry. We have Marc Eliesen now as the chair of Hydro; we have Odoardo Di Santo, a former member of this House, now as the chair of the Workers' Compensation Board, and we have Phil Carter, a former executive assistant to my friend the member for Peterborough, now the executive assistant to Marc Eliesen. Here we have another case of the Premier attempting to politicize this bureaucracy.

I will put my question in this way: Does the Attorney General not realize that he must continue to defend the professionalism and integrity of the Ministry of the Attorney General, and will he undertake now to continue to resist in every way he can the appointment of Mr Code as the assistant deputy minister for criminal prosecutions? It is a yes or no answer.

Hon Mr Hampton: I can tell the member this: It is my understanding that there have been a number of applications for the position of assistant deputy minister for criminal law and I do not know the political affiliations of any of them. I do not know if any of them have any political affiliations.

I believe it is important to uphold the integrity of the system of criminal law administration in this province. I have tried to do that over the last year and I will continue to try to do that.

LANDFILL SITES

Mr Harris: My question is to the Minister of the Environment regarding her commitment to improve the environmental assessment process. Under the existing Environmental Assessment Act, all alternatives must be considered when establishing a waste disposal site. Her proposed legislation, as I understand it, steamrollers over this provision by excluding the Britannia, Keele Valley and Durham sites from this process. In other words, she no longer has to look at the best options for the environment; in fact, she must look at only her options.

I can see how the minister's proposal will speed up the environmental assessment process. I wonder if she can tell me how this very heavy-handed, dictatorial, "it's my way" actually improves the environmental assessment process from an environmental point of view.

Hon Mrs Grier: I suspect the leader of the third party is referring to the legislation I introduced last week which deals with Environmental Protection Act amendments to facilitate waste reduction and measures to deal with the waste management crisis within the GTA. The leader will, I am sure, understand that this is comprehensive legislation looking at waste management in an integrated and comprehensive way. The legislation provides for waste reduction, which is the basis of this government's policy with respect to waste management. It provides for the search for long-term sites within the GTA in accordance with the Environmental Assessment Act.

The reference to Britannia and Keele Valley is dealing with the short-term crisis, which as I have said many times before in this House, requires to be managed and will have to be managed in a way that makes sure that waste within the GTA is looked after in the short term while we look in the long term for sites within the environmental assessment.

Mr Harris: Can the minister tell me why the most effective way of managing the environment in the short term is to say: "It's my way or the high way. You can no longer consider the best environmental alternative. In fact, you must not take the time to find the best answer for the environment. You must do it my way"? Can she tell me how, in the short term, expressly telling people, "Don't look for the best solution," is good for the environment?

Hon Mrs Grier: The system that was in place when I became minister was looking for short-term sites in new locations that had never been used for waste disposal. The system that was supported by the opposition parties was short cuts to provide for new sites in Peel, Durham and other areas without an environmental assessment. Our government decided that was not good for the environment, so we have embarked on the search for long-term sites under the Environmental Assessment Act. We have recognized that there may well be a gap in the short term and that it is better for the environment to continue to use existing sites than to create new sites by shortcuts.

Mr Harris: The minister is critical of the former government, I understand that, but let me get it straight. She is critical of it for having shortcuts and having some hearings but not the full hearings. She now has no hearings, absolutely none. The minister is shortcutting the possibility of any public input. She is shortcutting the possibility of any input from the regions. She is shortcutting the possibility of finding the best environmental solution. Obviously, the minister has no clear plan for waste management. She has stepped all over everyone and everybody in her frantic efforts to dig her way out of this mess.

There are two things I would like to know. One is on behalf of the municipalities. They want to know if they have any say in waste management in their jurisdictions in this province. Second, why is it that in the minister's effort to streamline the environmental assessment process and make it work better, the only thing she has come up with to date is to eliminate the option that says, "You must find the best solution for the environment"? She has eliminated that and said, "You must accept the Ruth Grier solution, regardless of whether it is good for the environment or not."

Hon Mrs Grier: It is difficult to know where to begin to set the record straight with that kind of a preamble. I am sure the member is not deliberately confusing the issue by refusing to acknowledge the short-term crisis, which I wish could be solved in another way but which the facts demonstrate has not been solved up to now. When we came to the choice between finding new sites under a shortcut process or continuing existing sites for as short a period as possible, we chose the latter.

The member is also wrong when he says there is no opportunity for public input. My ministerial orders issued to Metropolitan Toronto and to the region of Peel have asked them to get on with the technical studies of reviewing those two sites and to put in place a public consultation process. It also recognizes that in looking for new sites there will be a full environmental assessment. That is what the environment deserves and that is what we are going to do on behalf of the environment.

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RED HILL CREEK EXPRESSWAY

Mr Harris: My second question is for the Minister of Transportation. Ten and a half months ago his predecessor announced that Ontario would renege on its commitment to fund its share of the Red Hill Creek Expressway. He said at that time he was prepared to fund the other alternatives. Ten and a half months have expired since that an-

nouncement; 10½ months to find out if indeed everybody was wrong except him that there were no other reasonable alternatives.

The minister said on Thursday, in looking for a solution: "It is not complex. One need not be a mathematical genius emanating from Windsor or Harvard to understand the simplicity." I think he means there in finding a solution, an alternative. If it is so simple, if it is not complex, can he tell me what his ministry has done in the last 10½ months to find an alternative to the Red Hill Creek Expressway option?

Hon Mr Pouliot: Our position remains consistent. I think it is noteworthy, it is worth mentioning, that the municipal court cases took fully half that time, a full five months, and then time had to be given to get parties together. This has been done, and of course we are hopeful that within six months, alternatives can and will be found.

Mr Harris: It is absolutely insulting to the people of Hamilton-Wentworth to suggest there was difficulty in getting them together to meet with the minister. They have been crying, they have been begging for a meeting. They have come here to the Legislature. They have been ready to meet for all of these past 10½ months.

The minister said on Thursday, "If an alternative is not found, the region of Hamilton-Wentworth has the possibility of coming back with the original proposal." If an alternative is not found—these are his words, by the way—and the region of Hamilton-Wentworth comes back with the original proposal, is the minister prepared to honour the government's commitment and fund the Red Hill Creek Expressway?

Hon Mr Pouliot: Again, our position remains consistent. The focus here is on seeking alternatives. There has been no change of position whatsoever in withdrawing the funding for the Red Hill Creek Expressway. We are talking only about one position and that is of alternatives, plain and simple; no more and no less than that.

Mr Harris: I am quoting the minister's own words of Thursday. He said the region can come back with the original proposal. I think the question is quite simple: Why tell them they can come back with the original proposal if he does not know whether they are going to say yes or no? I think he had better clarify that. Otherwise this whole thing is a sham.

There is only one thing that has changed since last December and that is the NDP candidate in Hamilton is going down the tubes and needs a boost. That is the only thing that has changed in the past 10½ months. While this government has played politics with the Hamilton region, jobs have been lost, business has suffered and money has been wasted.

The minister's part of the agreement last week is nothing more than smoke and mirrors unless he is prepared to stand behind his statement of last Thursday. Will he stop playing games with the people of Hamilton? Will he answer the simple question: Will they have their expressway? If the possibility and the option is the original proposal, will he fund it? Yes or no?

Hon Mr Pouliot: There is no reason why anyone could play games. With respect, maybe the leader of the opposition party can go and ask the mayor of Hamilton what he said. It is quite simple. All he has to do is read the agreement. The agreement is focused solely on one option, which is an alternative to the Red Hill Creek Expressway. Will we fund the alternative? Yes. We have made a commitment that the province shall do so to the tune of 70% of the total. That is exactly what was said.

Mr Eves: What you said is, if they come back with the original proposal, you would look at it. Are you going to fund it or not?

Hon Mr Pouliot: In terms of the original proposal, it is not clearly, absolutely on the table. This is why the agreement calls for alternatives. It has nothing to do with the original proposal. The member should read the agreement; it is quite simple. We look forward to a good relationship and remain confident that alternatives will be funded and funded 70% by the province of Ontario.

VISITORS

The Deputy Speaker: I would like to inform the members of the Legislative Assembly that we have in the Speaker's gallery today a delegation of members of the standing committee on House management from the House of Commons in Ottawa.

MINISTRY OF CULTURE AND COMMUNICATIONS RECEPTION

Mr Conway: My question is of the Minister of Culture and Communications. On August 26, 1991, in what must have been one of her first press conferences and/or press receptions, the member for Perth, the newly installed Minister of Culture and Communications, convened a press reception or press conference at the Park Plaza Hotel to announce the government's new publishing support initiative. I have in my hand a bill from the Park Plaza Hotel for that reception and press conference, a bill to the taxpayers of \$2,887.96.

Since August 26 was just a few days before the Premier went to Honey Harbour to announce to the province that restraint was the new buzzword in the government, can the minister explain to this House and the taxpayers exactly why she needed to spend nearly \$3,000 on the rooftop at the Park Plaza Hotel for a press announcement, as opposed to using the press conference facility in the legislative complex at no cost to the taxpayers?

Hon Mrs Haslam: It was a very prestigious announcement. We chose to put it into a situation where the publishing community would feel comfortable. I am very pleased that I was able to announce this initiative.

Mr Conway: I would have thought that those hard-pressed, recession-ridden working men and women would have thought there is scarcely a more prestigious place to make an important government announcement than here at Queen's Park.

Perhaps the minister could further explain to these hard-pressed taxpayers of Ontario who paid for this reception, one of the minister's first, on the rooftop of the Park

Plaza Hotel at a total cost of \$2,887 and why some \$857 of that cost involved alcohol.

Hon Mrs Haslam: The question is well taken. I will investigate that and report back to the member.

NURSING LEGISLATION

Mr J. Wilson: My question is of the Minister of Health. Nurses across this province are shocked at the government's amendment to Bill 57, the Nursing Act, that will require nurses to take orders from midwives and chiropractors. This is yet another blow to the nursing profession, which has been hard hit by the government's lack of direction in health care.

The minister will know that historically nurses have performed procedures on patients under the authority of medical doctors and dentists. I want to know how she can justify adding another couple of levels to the hierarchy in our health care system by dictating that now nurses will also have to take orders from midwives and chiropractors.

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Hon Ms Lankin: I disagree with the member's characterization of our having higher levels of hierarchy in health care. One of the things that we are very hopeful the new legislation will do for nurses is, for the first time, to provide them with their own scope of practice and set out in regulations from their college's own perspective what that scope of practice should include and their ability to do a number of authorized acts on their own.

The amendments do not provide that nurses will do things on the order of midwives; in fact, it is set out very differently. But there will be cases where a midwife may order an injection of medication, for example, and it would be appropriate for a nurse to carry that out. It would be a patient order, as opposed to an order directly to the nurse, who is a professional in and of herself.

Mr J. Wilson: A patient order? That is quite interesting. I have never heard of that.

I and my caucus colleagues have received hundreds of calls over the last week as a result of this ill-conceived amendment. Perhaps the minister would be more personally aware of the situation if she had attended at least one of the days on clause-by-clause hearings of these acts. She would be aware of the fact that this amendment is not at all appropriate and that Ontario is only now beginning to establish a program of education for midwives and that a degree program is not scheduled to begin until 1993.

I ask the minister again, is she prepared to withdraw her amendment that would force nurses to take orders from midwives and chiropractors?

Hon Ms Lankin: The member may not know that in fact I worked in a hospital in my past life and I know exactly what a patient order is. If he does not, then I suggest it is his unfamiliarity with the health care system, not mine.

May I say directly with respect to the question posed about having attended and hearing from nurses that I have met directly with the nursing association. We have met with a number of nurses' representatives to talk about the

amendments. At this point in time we think it is an appropriate amendment.

The member recognizes that in fact, although the legislation will come into place, midwifery will not be a regulated profession until proclaimed and until the education program has started to produce certified, regulated midwives. We think at that point in time it would be entirely appropriate that where a midwife gives some recommendation of a patient order, for injection of medication, for example, a nurse could be an appropriate official to carry that out.

NURSING HOMES

Ms M. Ward: My question is for the Minister of Health. Approximately three weeks ago the minister announced a new funding arrangement for nursing homes and homes for the aged. Many of the facilities serving senior citizens in my riding of Don Mills are concerned about the current funding formula. On behalf of these facilities I would like to ask, how will the results from the fall 1991 level-of-care classification study be linked to the future funding formula?

Hon Ms Lankin: In the announcement that I made on behalf of the Minister of Community and Social Services and my ministry, we stated that the pilot project clearly indicated to us that the levels-of-care requirement currently in place with respect to nursing homes and homes for the aged, both charitable and municipal, in fact showed that there was not a difference of care requirement, and that funding in the future, as we move to redirection of long-term care, would have to take that into account.

We are currently moving to expand on that pilot project. We will have a classification study of each of the homes of the relevant categories in place by January 1993 so that we can move to funding based on that levels-of-care formula, which is based on the Alberta patient classification tool.

Ms M. Ward: The residents of True Davidson Acres, which is a home for the aged in my riding, are concerned about the current funding levels for the personal needs allowance. Does the Minister of Health plan to review these funding levels in the context of the new funding arrangements?

Hon Ms Lankin: The personal needs allowance that the member refers to is more often called the comfort allowance. It is the amount of money seniors have left over for their own funds after they have paid for things like the residential charge in nursing homes. As we move to levels-of-care funding and a redirected long-term care proposal for January 1993, we will be reviewing the amount which seniors pay towards residency and, by virtue of that, also the basic amount of comfort money they have left over in that personal needs allowance. So it all will be reviewed in that context.

DRUG BENEFITS

Mrs Sullivan: My question is also for the Minister of Health. In an attempt to control the cost of drugs available through the Ontario drug benefit program, a new and somewhat bizarre multi-tier system has been created with

which doctors must comply to obtain needed drugs for their patients.

Two weeks ago the minister removed several drugs from the formulary list of medicine covered under the provincial benefits program. Those drugs were used primarily for the treatment of AIDS patients. There was no consultation with physicians on the removal of those drugs, but what the doctors have been told is that when they need those drugs on an urgent basis for their patients, they must provide their names, their addresses and a code number to pharmacists before those drugs can be directly dispensed for their patients.

What we have now is a situation where pharmacists can only dispense drugs which are specific to the treatment of AIDS when those drugs are prescribed by a doctor who is on an AIDS list. Through this system the minister has guaranteed that the privacy of those AIDS patients is destroyed. There is no guarantee of anonymity. The pharmacist will know, the pharmacist's aides will know and the clerk in the drugstore will know who is on that list.

What protection of privacy and what guarantees of anonymity now exist under this new system for AIDS patients who are prescribed these drugs? Will the minister ensure that the doctors inform their patients that their privacy will not be protected, and will she require that the doctors obtain the consent of their patients, before they prescribe the drugs, to have their identity made known to the pharmacists involved?

Hon Ms Lankin: I think it is a very good question. The process that has been put in place with respect to streamlining the ability of primary care physicians who have a large number of AIDS patients in their practice has been done as a result of requests from the community, both AIDS patients and AIDS doctors themselves. It has been one of the central demands that they have asked for and there has been consultation with AIDS doctors about this process.

I want to correct one thing the member said, which is that this is not the only way in which doctors who are treating AIDS patients will be able to prescribe and get those drugs filled for those patients.

What we received was a complaint from those physicians who were primarily treating AIDS patients, who had very heavy practices, that the process, the amount of paperwork of seeking special authorization under the rules of the Ontario drug benefit plan on a case-by-case basis was drowning them and that they were unable to provide the appropriate level of care. It was eating into their time; the administration was too complex. We have been working with them to attempt to streamline that and deal with that, but those are the doctors who are on that list.

I think the question the member raised about whether or not patients should be made aware of that and ask for consent is a reasonable question and I will look into that.

Mrs Sullivan: I have the list of the doctors whose names are listed with pharmacists across the province, when they are prescribing those drugs for AIDS patients and do not want to go through the section 8 approval of those drugs, which takes anywhere from eight weeks to

months. One of the things the minister has not responded to is that those drugs are not only used by HIV/AIDS patients, but also by elderly patients and those who suffer from particular diseases such as respiratory and other illnesses.

The October 18 letter to doctors, which I have here, informs doctors that the cost of these drugs will not be reimbursed, without going through the eight-week process, if the person is not suffering from HIV/AIDS symptoms. Many people who are elderly suffer from shingles, a debilitating and painful illness, from respiratory illnesses and other diseases for which these drugs are useful treatments. They cannot wait the six weeks to eight weeks to the months that it takes to go through section 8 approval. I have put these drugs back on the formulary for the benefit of HIV/AIDS patients and for the benefit of senior citizens in Ontario?

Hon Ms Lankin: I must correct the member just on the technicality, in that these drugs were never on the formulary. There was a non-formulary list of drugs. What happened over a number of years was that there grew up, not just a section 8 special authorization, but another list of non-formulary drugs that were covered just generally as a benefit. The Lowy commission review recommended that these should be taken off. In fact, there was extensive communication with the manufacturers asking each of them to submit their information for these to be reviewed for possible inclusion in the drug formulary.

One of the things the member should know is that there is a very rigorous process of the Drug Quality and Therapeutics Committee, an assessment before a drug is actually on the formulary. None of these drugs has gone through that and therefore none of them has ever been added on the formulary. They were being paid for as a matter of course of the benefit. It was recommended by the Lowy commission that this cease. We gave the manufacturers an opportunity to respond, and the ones in particular that have now been deleted from this non-formulary list are the ones for which they did not respond.

With respect to the case the member raises, the drug that is of particular help to seniors in the treatment of shingles, I take that as a very serious issue. I have assurances from the ministry that a process has been put in place to handle those section 8 special requests in a one-day turnaround because of the nature of it.

Mrs Sullivan: It still takes three months.

Hon Ms Lankin: The member yells that it takes three months. I have been assured and have directed that for this drug, the process take one month. Additionally, we have written to the drug manufacturers yet again and asked them to please submit the materials with respect to this so that they can undergo a rigorous drug quality and therapeutic review in order to be added to the list.

EMERGENCY TELEPHONE SERVICES

Mr Runciman: I have a question for the Solicitor General. Day after day we read about increasing crime rates in Ontario, especially with violent crimes, and have

to assume that more Ontario citizens are becoming dependent on emergency services in this province. We have just recently been advised that this government has cancelled its 911 consultancy service. In fact, we are getting quite a bit of mail on this matter. Could the Solicitor General explain the logic behind that cancellation?

Hon Mr Pilkey: I can only respond to the member in the sense that there are fiscal pressures all across the government, as the member knows, and of course the Ministry of the Solicitor General does not escape either. A number of matters are being considered in the upcoming estimates, and that would be one of them. However, my understanding is that if this does become a formal decision, there would be alternative information available to those municipalities and regions that would have an interest in pursuing the development of the 911 service.

Mr Runciman: This is another one of the minister's non-answers. He obviously does not have a clue what is going on in his ministry. We asked him about the OPP going into the official opposition leader's office. A week after the incident he said he did not know anything about it.

Here we are talking about the cancellation of a very important service to municipalities right across this province and again he does not know what is going on. We have to wonder what he is doing with his time every day. The 911 service is an extremely important service. The city of Orillia had an estimate of \$200,000 for installing the 911 service. They went to the government consultant on this matter, who was able to come up with a system that costs that municipality only \$50,000, a considerable saving for municipalities right across this province.

Again, I ask that minister to get on top of what is going on in his ministry and reconsider the decision. He does not even know it has been made, but it has been made. He should take a look at it and change it.

Hon Mr Pilkey: I can well appreciate the perspective from the opposition benches, but I would like to indicate to the honourable member that we are certainly aware of the matter. As I indicated in the House last week, we are certainly aware as well that the question with respect to the OPP being sent to investigate members opposite is incorrect, in so far as the OPP being directed by this government is concerned. Once a breach of trust has been identified by the deputy minister to the OPP, the OPP itself decides whom it will interview, and it is not with respect to any directions from this minister or from this government.

WATER CONSERVATION

Mr Duignan: My question today is for the Minister of Natural Resources. In August the minister announced an initiative to challenge the people of Ontario to practise water efficiency and conservation. As most people are aware, the people of Ontario per capita use twice as much water as people in western Europe.

Recently the town of Milton, in the southern part of my riding, proposed a pilot project for water conservation and efficiency. Will the minister look favourably on the Milton project and tell us what particular reasons there are for launching a water efficiency program at this time?

Hon Mr Wildman: I appreciate the member's interest in this. There are many reasons for the initiation of this strategy at this time. As the member will know, we have had a number of very hot, dry summers in Ontario and water use has gone up substantially. Also, as we see more predictions in the scientific community with regard to global warming, we can anticipate many more periods of dry weather that will require the high use of water. As the member knows, the people of this province are concerned about managing their resources on a sustainable basis. After all, the more we use now the more we take away from future generations.

The initiative I announced in August called for zero growth in water consumption by the year 2010. We are attempting to develop a partnership between the provincial government and the municipalities and other water users in the province. We are holding workshops across the province to develop a water efficiency strategy for the province. The question with regard to Milton will be considered in that regard.

Mr Duignan: The people of Milton will appreciate it if the minister does look favourably on that particular pilot project, as I believe it is in the forefront for other projects throughout the province. I note this initiative touches on the mandate of several ministers. Also, some would argue this is an area of municipal jurisdiction. Why is the Minister of Natural Resources taking this initiative?

Hon Mr Wildman: As the member knows, the Ministry of Natural Resources is responsible for managing many water resources in the province. After all, we are responsible for the fish habitat, the power generation agreements and the general wellbeing of lakes and rivers in the province.

It is not just a Ministry of Natural Resources initiative, though. It is supported by 12 government ministries and agencies across the government. For instance, the Ministry of Government Services is actively developing a strategy for water efficiency in the 9,000 government buildings across the province. The Ministry of Housing, through the Ontario Housing Corp, Canada's largest landlord, is examining its portfolio to seek water efficiency opportunities. As the member indicated, this is the responsibility of the Ministry of Municipal Affairs, and the regulations and legislation of that ministry will enable us to develop a partnership with the municipalities. We look forward to having the successful development of a strategy in the province.

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AGRICULTURAL LAND

Mr Bradley: I have a question for the Minister of Agriculture and Food. Members of the Legislature will remember that last summer, in the warm sun in Vineland or Beamsville, Ontario, the Premier denounced previous administrations over the issue of the preservation of agricultural land and renewed the promise of the New Democratic Party to save agricultural land in the province from development.

In view of this pronouncement by the Premier and the long-time policy of the NDP to save agricultural land, could the Minister of Agriculture and Food tell us why he is allowing the Minister of Transportation to expropriate

some of the best farm land in the province in order to pave it over for a truck weigh station in Beamsville?

Hon Mr Buchanan: The member raises a good point. This party has had a long-standing position of trying to protect good agricultural land and we will continue to do so. From time to time services are required that need agricultural land in order to have those services, whether it be hydro corridors or transportation networks, and unfortunately there are occasions when these kinds of things happen. It is unfortunate.

I would certainly like to see all the tender fruit land in the Niagara region preserved, but a situation came up that requires some additional land. I think it is a very small amount of land, though. We are not talking about massive amounts. I think we are talking about something in the order of four acres, which is not really the sort of thing we should all get flustered about.

Mr Bradley: That is a most interesting response on the part of the Minister of Agriculture and Food, the person responsible for preserving agricultural land in Ontario. How does the minister react to local people, some of whom have supported his party over the years—one of the reasons they have is because they believed his party was going to be interested in saving farm land—how does he answer them when they say the ministry has a lot of nerve trying to develop on prime farm land when the province is considering whether to crack down on other Niagara farmers who want to sell land for development to ease their debt loads?

Does the minister not recognize that when we set that example the Minister of Transportation is setting, paving prime farm land, he loses all his good arguments with those farmers who also want to develop their land because they are facing economic stress?

Hon Mr Buchanan: I think we are talking of in the order of four acres; we are not talking about massive amounts of good farm land in this case. Since I just became aware a few minutes ago that this expropriation was in the process of taking place, I would say to the member that I am prepared to take a look at it. There is always the possibility of having that reconsidered. I have just consulted very quickly with the Minister of Transportation. That is a possibility and I will take it under advisement to see what we can do.

TRUCKING INDUSTRY

Mr Turnbull: My question is to the Minister of Transportation. Does he not recognize that the trucking industry in Ontario is in crisis? The industry simply cannot afford another \$2,000 tax grab. The tax is coming at a time when the industry is still reeling from the effects of recession and deregulation. The diesel fuel tax, which we will be debating here today, will add another 31% to the cost of fuel. Will the minister commit to repealing this tax?

Hon Mr Pouliot: We are not going to repeal the tax. That answers the question directly. We do recognize the dire needs of the trucking industry, with the oversupply of trucks, deregulation, free trade, high interest rates, the high Canadian dollar, the GST; the list is almost endless. We

be frozen by moratorium the number of licences out there so that truckers can find a better competitive climate.

We have also commissioned a study so that we can react on individual needs, on individual components, that will make the trucking industry a more competitive place to be. I do not wish to convey to members of the opposition, when they talk about trucking, "We told you so; a case on both your houses." No, we evaluate from a positive climate. The answers will take a little time, but together with the trucking industry, in partnership, we will be there and make the trucking world a better place to live in indeed.

Mr Turnbull: I have heard all this before from this government. Whenever they get a question, all they can do is point at other people as being the problem. What the minister is quite simply saying today is that he is writing off this industry. The president of the Ontario Trucking Association has said in that the present situation it is essential that we get relief from the fuel tax if we are going to get off bankruptcy from these companies.

Last week during estimates the minister said: "We empathize with those involved in our trucking sector, but as you will appreciate, the current economic recession and fiscal constraints make it very difficult to provide tax relief at this time." Well, the tax relief at this time is necessary. It is taxes the minister is adding; it is not something that has been added. It is taxes the government has added. The government has added \$500 million to the cost of the civil service since it has been in office. It is adding \$90 million in taxes to this industry, an industry that is going bankrupt. All the minister says is, "It's the fault of this and this."

The minister knows the trucking industry has said very clearly that it needs a reduction in fuel tax. Having US truckers survive is not going to help this province or the workers in this province. Will the minister not finally see the light and realize that adding people to the unemployment rolls is not going to help his government? Will the minister not rethink his policy?

Hon Mr Pouliot: With regard to the taxes that were mentioned, we did not get there overnight. Of course, any government needs revenue. I can assure the member that if the latest increase in diesel fuel tax is a component, as the member opposite suggests, the GST is the catalyst. That is the culprit. We are putting together measures to help the trucking industry.

Mr Turnbull: That's not what the trucking industry is saying. Read your own reports, Minister. You're telling the trucking industry it's the taxes taking away the jobs.

The Deputy Speaker: Order, the member for York Mills. You have asked a question. The minister is answering your question.

Hon Mr Pouliot: Mr Speaker, I know it is difficult for you to cap the bottles. Where I come from, when someone asks a question at least they have the decency to let people answer. If asked to carry the guilt, I have no quarrel whatever. Suffice it to say that the member should come up with rationale and substance.

This side is going to help the truckers. We are trying to be imaginative and innovative. The other side does not

wish to listen. We have a dilemma. They will fail and we will succeed because we have real, concrete, palpable measures that are conducive to good economic order for all Ontarians. We realize and are fully cognizant of the most useful service that our brothers and sisters in the trucking industry provide.

1450

MISSISSAUGA PUBLIC LIBRARY BOARD

Mr O'Connor: My question is to our new Cinderella—I hope she has found her new slipper—the Minister of Culture and Communications. Proposed legislation has been brought forward to dissolve the Mississauga Public Library Board. Even though Mississauga is not in my riding, the outcome will affect my constituents and myself.

A number of people are concerned about the public library board being replaced by a committee of council. Will citizen representation, as well as community input, no longer be needed in the functioning of the library? Earlier this year, the minister's predecessor informed the House that his parliamentary assistant would be undertaking consultation with the library community. The present minister promised that this report would be completed this summer. We are now into the fall. I was just wondering when we could expect some feedback.

Hon Mrs Haslam: I would like everyone to know that I started out in the education system and in the library system, both public and education, so I do understand the member's concern.

Since last April, the member for Kingston and The Islands, my parliamentary assistant, has been meeting with many of the individuals and groups concerned about the committee of council issue. The meetings have included library administrators, library workers, library trustees, representatives of CUPE and elected municipal officials. The final consultations will be taking place this month and our review and analysis of the concerns and points of view presented to us will follow promptly.

The Deputy Speaker: The time for oral questions has expired.

Interjections.

The Deputy Speaker: The House will settle down a bit. Those who want to leave can do so now.

PETITIONS

CLOSING OF TREE NURSERIES

Mr Mills: I have a petition signed by 1,500 people in my riding of Durham East. It says:

"Whereas the Orono nursery makes a significant contribution to reforestation in southern Ontario,

"We, the undersigned, petition the Legislative Assembly of Ontario to maintain the field tree seedling production at Orono nursery to contribute to environmental and economic programs in our forest and in our agricultural lands.

"Further generations depend on the environmental leadership of the day."

I also add my signature to this petition.

ORDERS OF THE DAY

INTERIM SUPPLY

Resuming the adjourned debate on the motion for interim supply for the period commencing November 1, 1991, and ending December 31, 1991.

Mr Callahan: I have never really had an opportunity to speak in this place with this many people in attendance. I guess they are all hanging around for my speech.

When last I left off, I was addressing the Treasurer. I got into a few things. I was basically talking about the question of alcohol and drug treatment in this province, this country and, for that matter, in the world. It receives very little attention from the public, from governments, from various sources. It should receive great attention.

I think on the last occasion I indicated that probably something in the neighbourhood of 70% or 80% of crime is committed as a result of either alcohol or drug abuse. We pay very little attention to it. The standing committee on public accounts is presently reviewing this issue and hopes to bring a report forward. With the co-operation of all the House leaders, we are seeking at least one day in this House to debate this very important report.

I think that the government's move through the health care system to limit access to facilities in the United States is perhaps a wise fiscal policy to eliminate unnecessary costs to the US, but I suggest that doing this without providing adequate facilities in this province to cover the shortfall is somewhat like putting a plug in one hole in the boat while you have six others there: You are still going to drown.

I think the Attorney General would recognize, through his offices and through the people who work under him, that a large degree of the backlog in the courts is to—

Interjections.

The Deputy Speaker: Order. If members want to hold conversations, I suggest they hold them outside. The member for Brampton South has the floor.

Mr Callahan: I think the Attorney General will recognize the statistics I gave him with reference to how our courts have become backlogged. To a large degree they have become backlogged because people who are before the courts have drug or alcohol problems. When they are sent off to prison, the facilities in prison are so inadequate in dealing with this issue that all it is is a revolving-door syndrome: They go in one door and out the other.

It is great politics to send people to jail; it makes the public feel very comfortable. But what we are doing is sending people who, perhaps through no fault of their own, are in this predicament. I do not say this in a pejorative fashion to the Attorney General. This is not a matter that has arisen just since his government was elected; it is something that has gone on through successive governments. It is an issue that has to be dealt with. There has to be provision for expanding such facilities as the Ontario Correctional Institute; OCI is one of the few facilities where treatment is looked into.

On the question of schizophrenics, schizophrenics' families, as a result of amendments that were made to the Mental Health Act back in 1985 or 1986, were literally

divested of any possibility of assisting their loved one. Schizophrenics could not have treatment forced upon them; they could refuse treatment. It was like telling diabetic, "It's okay, you don't have to take your insulin if you don't want to," even though we know insulin helps diabetic maintain control.

Similarly, the situation with schizophrenics has come to that. We see parents who have their loved ones in a situation where there is no way they can help them, knowing full well there is treatment that can assist them. We see people brought to the courts for somewhat foolish crimes who cannot plead their schizophrenia or temporary insanity, because if they do, they do it at the risk of winding up as a guest at the pleasure of the Lieutenant Governor for perhaps two years for a crime for which they might otherwise get a fine or probation or even a discharge.

Quite apart from that, there is the ignominy that families of schizophrenics have to go through because a mechanism is not in place to allow them to deal with and treat their loved ones. I suggest this is something that has to be addressed. I had thought at one point that the bill introduced—I think it was Bill 53—that provided for alternative decision-making would assist in that regard. I suggest it will not. I think the government will find, as the committee goes out into public hearings on this bill, that group will come before the committee and tell it that the bill is not appropriate and will not deal with this specific issue.

I would like to deal with the farming community. Although my community grows more urbanized each day, it is still an agricultural urban community. Day after day we hear in this House and read in the newspapers from across this country, across the United States and North America perhaps around the world, of the plight of farmers.

Farming is not something you teach. It is not something you pick up as a hobby in most cases. It is something that is passed on from generation to generation by people who are truly interested in farming. If the people of this province, this country and beyond expect to receive food adequate for the purposes of feeding themselves and their families, governments are going to have to take a much more realistic approach to the question of how we deal with our farmers.

Our farmers are always the last persons in line for anything and they constantly have to beg for every nickel they get. That is not satisfactory. Those members who come specifically from rural areas must understand that the farming community obviously is the backbone of the supply of food. What does the farmer get for it? The farmer gets peanuts. The product itself goes through maybe four or five hands and then gets nicely packaged—packaging we throw away and fill up our landfill sites with—and the farmer himself or herself, who has dedicated his or her life to farming, receives very little in the way of the cost of that.

People out in society are not prepared to pay what it is worth to keep a farmer on the farm. Truly, if there were a systematic way of providing farmers with a way to allow their young people to become educated at the University of Guelph or sophisticated universities that teach business management techniques in agriculture in a modern way

ny of these people would stay on the farms, but it is a temptation. Young people see developers picking up lands and developing them and see some farmers selling out. Young people see the fathers who own the farms selling out. They are then able to take on a lifestyle that is very much different than it was when they were actually on the farm.

We lose them for ever. We will never get them back again, because those people have been told in not so many words by the governments of the day: "You don't count. We're not concerned enough about you that we would try to come up with an innovative way of providing you with money so that you can give the good things to your family and ensure that you stay in farming, a profession you love." We have to work at that, because if we do not work at that, we are going to find ourselves slowly but ever so easily getting out of the production of food. We are going to find that our food will be very costly because it will be imported and we will probably be buying a great deal more from across the border.

I suggest that is something this government should look at. They should forget about the life preservers you throw to a farmer when he is in desperate need. They should think about it in terms of long-term planning.

That is one of the problems with this Legislature, the fact that the process itself provides for the quick political fix. It does not provide for long-range planning. It does not look at an issue and say: "Here's a problem. Let's try to solve it." What it does do is try to find the sexy way of doing it or plug the dike with a Band-Aid when it requires much more than that. Perhaps it needs a major operation.

I suggest that the process in this House is one that has to be changed as well. The people who are watching us on television every day are becoming much more sophisticated and much more aware of the factor that what goes on in this House to a very large degree really is theatre, that it has nothing to do with the real things that are going on in the world, and that much of the government is run by maybe five or six or seven people, several of them not elected, rather than being run and contributed to by each and every one of the members from the various ridings. I think people are catching on to that.

If the process is not reformed, the people are going to say to us, "Why do we need 130 people down here who are doing nothing for us, who are not advancing the cause of their particular riding, who stand up"—this is not a criticism of the present government; it has gone on with several governments—"and vote on every issue the way the government wants them to vote?" The people out there are not that naïve. They have to understand that if members are doing that, it means the members are doing nothing for them, are just becoming part of a large glob.

People are very suspicious of politicians today. I note, however, that this morning we did not rank in the first four in the *Globe and Mail*. I cannot remember what they were. I think there were a number of them. Politicians were not among them, but I am sure if they had printed a fifth one, we would have been within the fifth category. Politicians

used to be second to the oldest profession in the world in terms of popularity with the people.

I think we are seeing more and more in elections that people are much more attuned and much more aware of what is going on in politics. They expect their politicians to work for them. They expect their politicians to advance their cause. They expect them to make certain that every tax initiative that is brought forward is one that is scrutinized to the nth degree.

We are not doing that. That is not going on in this place, and if we do not get back to that way of doing it, or reform this Legislature, we are going to find that we are going to become as much of an anachronism as dinosaurs, if we are not already. I urge all those people who were elected—I suppose, in a sense, in the last election many of them had not anticipated being elected, so I suspect they come from very strong roots and want to advance the cause of their individual ridings. Here is an opportunity for them to make history, to reform this Legislature.

Several government members voted for a private member's bill I put forward that bills be referred after first reading to get meaningful input from the public. If that is the case, why have we not seen that bill come back from the House leader in terms of an order of priority in terms of business? I would think that would be a major priority for the government, to reform the Legislature. If they reformed it, they would have a much more democratic process. The government, I am told, is the New Democratic Party. That obviously must have some meaning within the term of democracy. One would think they would be trying to reform the Legislature.

To send bills out to committees after second reading—I think the public should understand this—once the principle of the bill is established, then to go out and meet the public on the road and spend megabucks of taxpayers' dollars to hear from people makes no sense. If the government has already established the principle of the bill, as it goes out to the people, everything they say is going to be ignored if it is contrary to the principle of the bill. If they send it out after first reading, they would be able to get some meaningful input from the people who take time out of their busy schedules to appear before the committee. They would give some meaning to that \$40,000, \$50,000, \$60,000, \$70,000, \$80,000, \$90,000, \$100,000, \$120,000 or \$130,000 that might be spent on travel and accommodation to bring these people before their committee.

I think in the past the good Speaker who is in the chair now used to castigate us in committee. When we were the government, he would say: "Isn't it terrible? You've spent all this money going out to the public to hear from them and you have already established the principle of the bill. What a waste of money." I often thought to myself, Mr Speaker, that your words were words of wisdom, and I advance them to you now that you are in government. Use that and take a look at it, because the government is going to have to account for that to its public.

They should forget about the roof garden parties by the Minister of Culture and Communications. That is peanuts; \$2,500 is peanuts. They should forget about the Attorney General's big bash down in Niagara Falls for \$10,000, of

which about \$2,500 was for booze. That is peanuts. The important stuff is the money we spend in our day-to-day operation to represent our constituencies in this Legislature.

We could be a guiding light. We could perhaps set the pace for Ottawa. Maybe we could get those 276 people up there, or whatever their numbers are now, to actually do something for their constituents instead of all the gabblegob that goes on up there. Surely we cannot afford the luxury of bodies that are just bodies, that are not prepared to stand up and be counted, prepared to be imaginative and to be empowered to be able to participate in the whole role of government. Rather than letting the Premier of the day, whoever it is, and maybe four or five cabinet ministers, whoever they may be, and maybe four or five spin doctors down in the back office, sitting around throwing darts at a wheel determining—that is a little facetious, but in terms of deciding what will be the order of the politics of the day, what is going to be popular, how can we advance winning a seat in this riding or that riding or how can we make ourselves more popular in this poll or that poll, when that is really what is going on, what really should be going on should be that they, as members of this Legislature, each of them elected, should at least be consulted in terms of what is important in this province. They should not have to stand up like taking attendance in grade school, when the snap of the fingers comes, “Here’s what we’re going to vote on, guys and gals; stand up,” and everybody stands up.

I am convinced that the people out there who watch a vote being taken in this House have to make one of two conclusions: Either they have to conclude that the idea being advanced by the government is so magnificent and is going to do so much for them that it behooves their member, that member who they know best because they voted for him or her and probably helped campaign for—they have to be convinced that is something they really believe in.

I find it difficult that when you go back to your riding—

Mr Turnbull: On a point of order, Mr Speaker: I do not believe there is a quorum present. I think it is important that the government should be here listening to this very good speech we are hearing.

The Acting Speaker (Mr Farnan): I have listened and this is not a point of order. I would suggest—my apologies to the member for York Mills; I thought you were rising on a point of order. I hear it is a quorum you have asked for and the Clerk is taking a count.

The Acting Speaker ordered the bells rung.

1510

The Acting Speaker: If I could have the attention of the member for Brampton South, I remind the member that this is a debate on the motion of interim supply. This is generally a free-ranging debate. However, I would remind the member that no matter how free-ranging it is, some reference to the topic before us is essential.

Mr Callahan: Thank you very much, Mr Speaker, for bringing that to my attention.

Let’s go to the question of funding for community colleges and universities. Somewhere along the line, some government, I cannot remember which it was, or the board of regents of the various institutions, made it a rule that if you missed your year, you had to stay out for two years.

A lot can be done by co-operative methods in this House. It does not necessarily always have to be fighting and scrapping. I went over and spoke to the minister and said to him: “Do you really think that’s a fair process for a young child who has a learning disability? A young person who misses his or her year in university has to wait out the two years just like the students who missed their year because they were out carousing or not studying or not participating in the work they should be doing.” The minister said, “I’d never thought about something like that.”

I really think there are opportunities in this House to make certain that the moneys we spend on education and the networks and the processes we put in place to see that people get a fair shake in this province, can be shaped in such a way that we do not have one rule that is so stagnant that it captures these young people who are disabled people. They have an invisible disability. If they have a wheelchair or crutches or are blind or deaf, we can see that and people immediately change rules because of that, and quite so. It is only fair that should happen for disabled people. The people with learning disabilities have an invisible disability. Once we lose sight of the fact that these people perhaps have missed their year not because of anything on their part but simply because they are disabled, it makes no sense and we do not change the rule or react to the rule. Then the moneys we spend and allocate through taxation dollars are not being spent appropriately.

I suggest the same thing is in vogue in terms of some of the things the Ministry of the Attorney General has not done. It is not just this Attorney General; I do not believe our Attorney General considered enacting this alternative. Under the Criminal Code, if the government of the day decides to bring it into vogue, it can in fact provide for an alternative to fines. It can be community service or a number of things. That has never been enacted in this province. It has never been brought out of the Criminal Code the way it should have been, and is, in some provinces.

What it means is that there is a law for the rich. If you are very wealthy and you are fined \$500, \$600, \$1,000 or \$5,000 and you have the money, you can pay it. If the person is poor, because that power is not given to the judges to provide some alternative to fines, it means the judge has to say \$5,000 or two months in jail. In fact what we have is a two-class system in this province in that certain people can buy their way out of jail and others have to go to jail because they cannot afford to pay the fine.

That is a measure that would not cost this government one nickel to impose, except that there is no question that fines paid through the justice system generate income for the day-to-day activities of the government. However, one has to examine whether or not that is a proper rationale for maintaining a system that creates two levels of citizens in Ontario, those who can pay and those who cannot pay.

I know a number of my colleagues and others in the house want to speak on this, so I am going to address two other things. The first one is that, for some reason, treasurers have been very wont to earmark funds. I started on Thursday by saying it seems absolutely outrageous to me as an Ontarian, as a Canadian and as a human being that we can collect—in fact impose the collection of—dollars on selling all sorts of alcohol and not earmark at least a portion of that money to provide for the flotsam and jetsam of the world that we create as a result of our encouragement to buy alcohol.

It is the same with drugs. Why are we not using that same amount of taxes—they call them sin taxes. Why are we not earmarking those for people of the province who have been afflicted because we have in fact allowed these things to be sold? It seems to me we are burying our heads in the sand if we do not realize that if we do not use those taxes, allocate them and provide proper funding and proper facilities, we are in fact fooling ourselves.

We may think we are having a safe time right now, but as we pass year after year, we are going to find that crime increases dramatically. We are going to find families that will never get out of the welfare ghetto because of alcohol and drug abuse. We are going to find young people who will be destroyed, never to be reclaimed, if we do not use some of those moneys to assist them. I really believe that the present Treasurer and future treasurers have to get out of this mindset about money not being earmarked for specific things.

Let's take seniors. There was always an argument among those who sat on municipal councils about why seniors should have to pay the education tax after they are seniors. I must say that argument was very attractive because it seemed to me that seniors reach a fixed income level where extra dollars are eaten away by inflation, and in paying to pay this tax and gaining no benefit from it becomes a bit difficult for me to rationalize.

Clearly there was an effort—and I am going to use this as an example—by the Conservative government of William Davis, I think it was, to bring in a \$400 tax rebate to seniors which was supposed to reimburse them for the money they spent on education. It was based on the principle that because seniors do not have anybody in school, the government was going to give them a bit of a break. The unfortunate thing is that the \$400 never got a boost until the government boosted it by \$100, and it no longer represents the lion's share taken from seniors out of their tax dollars.

However, it did establish a principle and I urge the Treasurer and treasurers in future to zero in on particular problems and say: "We're making money from this, but there is fallout. People are being hurt by it, so let's earmark that money for them. Let's not require lobby groups to come before us and beg for it. Let's be up front, let's be honest, let's be humane and let's make certain we do it in an innovative way rather than having people force us to do it."

I have to give credit to the government. I have learned through the standing committee on public accounts that it has set up a program which is a registry of available alcohol facilities. That is a good step forward, but it cannot just

stop with that. That was obviously done as part and parcel of the scenario of trying to prevent money being spent in the United States at alcohol and drug treatment centres. I applaud that as well.

Our health care system is too important to allow it to go to shambles because we are spending money in an inappropriate way. At the same time, it is only one step. There are all sorts of steps we can take in this regard to attempt to make decisions based neither on their political sexiness nor on what happens down the corridor in the back room or whatever. Members probably know by now that what I am saying is correct, that this is how it goes on.

1520

Let's take some power; let's empower ourselves. Let's not allow any government, majority or minority, to tell us, as members of our ridings, that this is what we can do and this is what we have to vote for. Obviously, to maintain some degree of sanity around here, there will be issues on which we will have to vote party solidarity, but surely to heaven it is not on every vote. If it is on every vote and if we have to speak in favour of our government or against the opposition, or the opposition against the government, on every discussion that takes place in this House, then we have all become replaceable. We will be annihilated like the dinosaurs. We are just wasting taxpayers' dollars. It is something we should think about and try to consider.

One final item: The member for St Catharines talked about the Charter of Rights and Freedoms. Everybody thinks that is a marvellous piece of legislation. I have to say I have my doubts. It is a nice phrase, "the Charter of Rights and Freedoms." Unfortunately, it has reached the stage where it is just freedoms, no responsibilities, and that is devastating. That erodes the very foundations of society.

We are seeing decisions being made by judges. With all due respect to the judges, they are making decisions on policy which governments used to make, democratically elected members of this House and the Parliament. They were accountable to the public in the final, ultimate thing—the vote. With all due respect to the judges of the Supreme Court of Canada—they are very learned and, I am sure, very caring and honest men and women—they are making policy that will change, and has already changed, the fabric of a myriad of issues in our society.

The Acting Speaker: I remind the member that we are talking about interim supply.

Mr Callahan: The Charter of Rights and Freedoms does in fact impact significantly on the costs to this province if we look at the number of cases that had to be thrown out in the lower courts because of decisions made in the Askov case; if we look at the number of changes that have to be made to our policies, to our laws, where our laws are declared unconstitutional because the Charter of Rights and Freedoms is in place.

I know people will probably say, "Well, Bob, you don't believe in the Charter of Rights and Freedoms." I do believe in it, I think there is some good content in it, but I think it has given too much policymaking power to people who are not accountable in terms of election. They can remain in office until they are 75 and, as I said, I am sure

they do the best they can interpreting the charter and creating fairness under the charter. That is their job. I do not dispute that at all, but I think we as legislators have put them in a position where they are now making decisions that should really be made by elected representatives, not by the judges.

I join with what I think I heard the member for St Catharines say regarding the difficulties the Charter of Rights and Freedoms is creating and is going to create in terms of law and order in our society, not just for today but in the future. If members do not believe this, they should take a look at the United States. The US Bill of Rights does not go half as far in its content and interpretation thus far as our Charter of Rights and Freedoms does. We are in fact creating a scenario that allows elements in this society to have a leg up that should not have a leg up. The Charter of Rights and Freedoms to a large degree assists and can be used by unscrupulous people in this community.

In my riding recently I found a 14-year old boy outside a beer store selling chocolate-covered candies. He was alleging, not by specific, direct word but inferentially, that he was selling these for a charitable organization. I walked up to the kid and said: "Where did you come from? What charity is this for?" He said, "Well, it's not a charity," yet it had very clearly on the wrapper "In aid of the welfare of children."

I said, "How did you get here?" He said, "I was dumped off in a truck by somebody from Toronto." Apparently there were 10 or 20 of these kids selling chocolate bars, worth about 50 cents, for \$3.50 to unsuspecting people, members of my community.

Somebody jokingly said—and it may not be all that unkind—that the guy running the whole thing might be 12 years old, and if he is 12 years old or under, he cannot be charged under the Criminal Code. He becomes literally a free agent in terms of running criminal activities.

These are things about which we should be very jealous and guard very carefully. We may need the impetus and the courage in the forthcoming discussions about constitutional change to perhaps look at that, because if we do not, we are going to create an environment that we are not going to be very happy about in about five or 10 years. I am sure none of us wants that.

To bring this right back to the question of interim supply, all of that costs the province not just money—that is important—but it also costs in terms of human loss, agony, hurt and family breakups. Those things are probably more important than the economic side of it but also result in further economic costs to this government.

I urge all members to be innovative and vigilant, not to allow the present procedure in this House to take place all the time that requires them to vote for every single thing the government says they have to vote for. If they do, at the end of their session here, be it this term, next term or five terms from now, they are not going to have much satisfaction in going back and thinking about what they could have done but did not, when they were given a sacred trust by the people of their ridings.

Mr Bisson: I listened with interest to the member for Brampton South speak on the question of how the Charter

of Rights and Freedoms can, if not properly administered, in some way work against us as citizens. I, for one, share that view to a certain extent.

There was a little bit of generalizing in the way the member put it across, but I think the point is well made that if we do not watch ourselves and if we do not find a way of dealing with that, we can see a lot of our rights diminished by special-interest groups that happen to have the money to make it to the Supreme Court of Canada.

We have seen those types of decisions made recently around the Election Finances Act, challenged by some corporations, that allowed the Conservatives access to money to be able to make it through the last general election.

The other point the member makes is that he hopes government members will remember that they should not always vote on the side of the government. I say to the member that we live in a parliamentary system with quite a bit of tradition that says that to a certain extent we are elected here as parties and we are here to carry out an ideology that our party and caucus strongly believe in.

I would point out one thing, though, to the member who just spoke. I would like to see what his voting record was while he sat on this side of the House and whether he voted against his government on all occasions.

Mr Callahan: I am not going to take much time, Mr. Speaker. Others would like to participate in this debate.

I can tell the member opposite that my record—and I invite him to look it up—would demonstrate that throughout my tenure in the House I attempted to meet each issue, look at it and vote the way I thought appropriate. I did not do that on all occasions because, as I have said, I agree that we are elected on a particular party philosophy. In reviewing for my private member's motion, I found that in the United Kingdom 82 votes took place; the members voted as they wished and the government did not come tumbling to the ground.

Also, in the McGrath report reviewing this entire issue, somebody came up with the astute decision that when governments have a large majority, every vote becomes not a vote of confidence but a vote of respectability. In other words, if you do not win every vote and if everybody does not vote the same way on each occasion, it makes the government look as though it does not have control of its members. Surely to heaven that is not the reason we were elected, to be controlled; we were elected to espouse the philosophy of our party, but not on each and every occasion; to participate in debate in the House without necessarily being so blinded by our particular philosophy that we could not be innovative and perhaps plan ahead.

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Mr Stockwell: The interim supply debate is always interesting. It is wide-ranging. It encompasses many different facets of government and dwells mostly upon the issues we have faced in the last few months generally in that session.

I would like to go a little further back and remind the government, as I have on a number of occasions, that we should always go back to that day in August, August 19, 1990, when the now Premier, the member for York South,

was leader of the official opposition at the time, was determining exactly how best he could manipulate the vote to ensure he would be elected Premier. I am sure the Premier would much rather forget that fateful day, August 19, 1990, because that was the day he announced his Agenda for People, the noblest, fairest, most honest document that ever came down the political stream.

It is kind of humorous; it is kind of funny. I like running into acquaintances and some friends who are socialists, who are members of the NDP. I have enjoyed running into those people in the last year or so because I have found their comments to be very interesting and very enlightening.

I find there are three kinds of socialists left in Ontario. The first kind is Socialist A, who basically still stands by the party pap and the rhetoric the NDP espoused in August and September 1990. This group is generally made up of people across the floor, because of course they are paid to say what they say. You will never change their minds, though I take great delight in pointing out the inaccuracies and the changes and the differences between them and the old socialists we knew, the guys who were bearded and wore check jackets with elbow pads ironed on and so on. In talking to them, they are still of the firm belief that this is the party of the people. "We got off to a slow start" is what they will say; and "Sure, auto insurance was an issue, but, eh, we had to change our minds because we were really stupid before."

It is kind of interesting. You run into those people, then you run into the second group who are kind of on the fence about every decision this government makes and try to defend it there from day care to co-operative housing to auto insurance. They are really having trouble. Their guts and their hearts are saying, "I can't support these people any more. They just aren't saying what I want them to say," but their heads are saying: "But, gee, who can I support? I can't support the Tories because they won't ever put a piece of trash out like this and pretend they endorse it."

After those two groups, you run into the third group. I have a great deal of fun running into this third group of socialists. These are the pre-September 6 socialists, not the post-September 6 socialists. These are the rank and file, the ones who knocked on doors, and maybe they are elected to local councils, etc, the true socialists who used to dump all over the Tories and the Liberals in the past. They would have glib one-sentence answers to a lot of very sincere and difficult problems, much like the Agenda for People does.

I run into these people and they are just totally disheartened. They realize that basically what they are is nothing more than a bunch of collective, group politicians who are no better or worse than previous governments. Their sanctimony is certainly eroded and they are having a very difficult time because they basically said in no uncertain terms, "This government has sold out on our socialist principles."

It is fun to run into them, because in previous years, in my eight years on local council, I would run into them and they would have instant answers as well. I guess they are

discovering that when you shoot the arrows, it is a lot simpler than catching them.

Having said that, on August 19, 1990, the member for York South outlined his new Agenda for People. This is really a great document because it allows all opposition members to photocopy it and, come next election, trot it out and say: "Now here's the group that was leading us to the promised land, the socialists, with answers for all. How have they done on their Agenda for People?"

What is equally interesting, although I did not re-read this until last week when we were talking about having this debate, is that the then Leader of the Opposition, the leader of the group across the floor, issued a press release on that date. He had some really interesting things in that press release, and I think the people of Ontario and certainly the people across the floor, who I do not think read this that much any more, should remember what was said on August 19, 1990. Their leader, the member for York South, who on the day the election was announced called the then Premier Peterson a liar five times in a press conference for not fulfilling his campaign promises—

The Acting Speaker: I realize this is a free-ranging debate, but it would be helpful for me and perhaps for others if you could make a relationship to interim supply for the period commencing November 1, 1991, and ending December 31, 1991.

Mr Stockwell: It is very simple, Mr Speaker. The list of promises that were made on that fateful day on August 19 have a great impact on the operating expenditures we are dealing with today. Anyone could make that assumption or that leap of faith, I suppose, so that is where I am coming from. Although it is a little longer than normal, I think even the members across the floor could follow this.

On August 19, 1990, the Premier, the white knight of the lefties, the socialist king, stood up and made his pronouncement of the Agenda for People. It is very important to bear in mind that not two or three weeks earlier he had sat in that studio downstairs and called the then Premier Peterson, who he has claimed reneged on an auto insurance commitment—imagine that; that is astounding; he accused the then Premier of reneging on an auto insurance commitment—a liar five times that day. And here we have the Agenda for People on August 19. He did not know but would know very shortly that he would be the next Premier. He had some really important things to say on this date. Some of those important things we should listen to.

This is from their prized leader, the accuser of liars, the person who accuses people of lying to the public: "I started this campaign by saying our party would not be presenting an endless catalogue of promises to the people of Ontario." Can members imagine him saying that, then introducing this catalogue of endless promises to the people of Ontario? It is unbelievable.

"Men and women across Ontario have told me that they don't want promises that can't be kept." He said that on August 19. The now Premier who accused the then Premier of being a liar said—and this is unbelievable—"Men and women across Ontario told me that they don't want promises that can't be

kept and they don't trust parties that pretend to serve every need and satisfy every demand." This is astounding.

Having sat through the first year or so of this government and seen the endless list of promises that are broken, it is amazing that on 19 August, 1990, he could have said these things and still face off in the House across from the opposition parties. How he can even stand here and try to defend it is absolutely unbelievable to me.

As we see, it refers back to the expenses today. We can see why he has a difficult time defending such statements as "We don't have a fair tax system." He said, "We don't use election campaigns to discover problems, promise solutions and then ignore them afterwards." With all due respect to the party across the floor, it has discovered more problems since it has been elected than any government in the history of this province. It discovers new problems every day.

The recession was a discovery to these people. In the summer of last year we were well on our way into a recession, and they got elected and somehow they discovered there was a recession in this province. Were they living in caves? That is the question that must be asked. Apparently so, because they discovered the recession when they got elected.

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"There are of course costs to our program." This is a beauty. They admit that it is going to cost money to implement the Agenda for People and the Premier who, as I said, accused the then Premier Peterson of being a liar five times in that studio downstairs—and I would never suggest that the Premier is a liar. I would never suggest that. I would wonder what he calls himself, but I would never make the suggestion.

"Our commitments add up to an affordable program." This Premier is \$10 billion in debt and he claims he cannot fulfil his promises because he does not have the money, because he just discovered there was a recession when he got elected. This is scary. It is a very scary situation when this Premier, who accused the then Premier of being a liar five times, discovers there is a recession when he is elected and then goes out and does exactly the same thing he accused Premier Peterson of being a liar for. He reneged on his insurance promises. Even the hard-hearted, even the ring-through-the-nose socialists who get led around this province cannot buy that. Even they cannot buy that.

It leads me into the next set of promises that he did not make, promises that were not just going to be a catalogue of promises. "David Peterson and the Liberals have sat on the sidelines as free trade and punishing interest rates have cut a swath through the Ontario economy." Then, son of a gun, here is a guy who said he would have dashed free trade. He is also the same person who said he was going to have a revolt over the GST. So I do not see a lot of differences between our last two Premiers.

Then he suggested—get this, Mr Speaker; this is another humorous part of their promises—on page 3 of his August 19 manifesto that the recession is here. Is that not humorous? They got elected on September 6 and did not know there was a recession, but on August 19 they told us we were in the middle of a recession. Can you get over

that, Mr Speaker? We got into a recession and out of a recession inside of two weeks. It is a miracle, an absolute miracle, unless some would suggest—and I would never suggest this—maybe they were being less than honest. I do not want to say that. I think that is for other people to say who are far more cynical than I. But definitely I would not make that suggestion.

"The Liberals make promises and they break promises." Can members believe the socialist leader of the NDP government saying something like that? I agree wholeheartedly. One would not want a government elected by making promises it could not keep, would one? Terrible stuff. It is astounding that anyone would think about doing that, making promises they could not keep, such as the day care or the co-operative housing or the auto insurance or the relief to farmers and small businessmen. You would hate to think someone would actually do that, would you not, Mr Speaker? I would never suggest that this government did that. But again, the cynical sorts out there would make that suggestion, and they would put up a pretty good argument if they ever got hold of a copy of this text.

"And that is the choice of this campaign. Across the province New Democrats are saying to the people: 'This is you Ontario, and together we can make sure that people, not simply the rich and powerful, call the shots in Ontario.'"

Some hon members: Hear, hear.

Mr Stockwell: They are still applauding these statements. They cannot get it off their brains. They have got to continue applauding these bits of rhetoric. Here we go. They just do not want the rich and powerful. It seems to me that some would suggest again—and I am not one—that maybe Bob White and the unions are calling the shots. I would hate to think that was the case, not with a party that is so upfront, public, fairminded and truthful as a party that would, say, produce the Agenda for People. We would never think that about this party.

Having said that, I think it is very important that we review very quickly—it would be sort of like a political science course 101—the Agenda for People, because the people in Ontario deserve to be reminded of exactly what the members opposite were promising on that day in September 1990. It is very important because their leader did call Premier Peterson a liar five times when he made the announcement. We should make them stand up and defend their record, seeing as how they are so noble and above board and almighty as compared to the other less-than-desirable, less-than-honest parties in this province. I think it is important we go through these.

It is funny. Here we have the first page: A very important factor in this government's application to become the government of Ontario was based on "A Fair Tax Plan for Ontario." "Minimum Corporate Tax": Apparently they have formed a committee. Is that not a novel idea? Here is a government that may not want to face the realities of the situation, so what would you think it should do? They formed a committee. The oldest political axiom in the book: When in doubt, form a committee.

The beauty of all this is that when their Treasurer was asked, "Gee, Mr Treasurer, why did you form a committee

this when you were so convinced, pre-election date"—it was in the period of time when they were noble, righteous and sanctimonious—"of exactly how you were going to handle this tax plan?" he muttered something along the lines of: "Well, we weren't in power. We really don't know what we were talking about."

Is that not hilarious? Is that not funny? Some would be cynical. Not I, of course. Some would suggest they were being less than truthful. Not I. Even some of their own could make those kinds of suggestions, but I would never say that. That would be attacking the Premier of Ontario. That would be like saying five times in a press conference before an election, "Gee, the Premier is a liar." I would never say that. There are some who would say those things—the Premier, for example—but I would never say it. But some would.

As we get back to the interim financing debate, we can be clearly in the interim financing debate exactly why a tax plan—

The Acting Speaker: Order. Take your seat, please. I am being quite generous in the interpretation and the latitude I am giving the member. I think the member can reciprocate by speaking to supply and not making a mockery of some of the rules of the Legislature, and I think that is taking place at this time.

Mr Stockwell: I would hope I am not making a mockery of this setting. I would not want to do that. What I am trying to point out is that there are people out there who could make these suggestions and, yes, across the floor there have been members who have done so on a very public and real occasion. I am trying to use as much latitude and leeway as this government would have used when it was in opposition. I would certainly hope I would not use any more, and I would beg the indulgence of the Speaker.

We get to "Minimum Corporate Tax."

The Acting Speaker: I call the member to order. He has had the indulgence of the Speaker. The Speaker's patience is running out.

Mr Stockwell: I appreciate that, but I really do not understand exactly what rule I am breaking here. I am dealing with interim supply. I am speaking about issues we are addressing, and with all due respect I do not think I have pushed your limits, Mr Speaker, as this party has in opposition in the past.

"Tax Fairness for the Working Poor," "Succession Duties on Estates of the Rich and Super-Rich," and "Speculation Tax": Some would suggest that maybe they did not know what they were talking about before September 6. I may well have been one of those people. I may have suggested they did not know what they were talking about and were going to get us in a peckful of trouble.

Some would even go as far as to say they were not being truthful. I am not one of those people, but there are people out there saying that. I know that is going to burn their ears, but there are people saying that they were less than truthful in the last campaign. I am not one of them and I hate to think that they are out there, but I think they are out there. I really do.

We got to the tax position that has left us in this interim financing dilemma because they claimed they were going to raise billions and billions of new dollars through this tax plan they had. Of course, it is the same tax plan about which the Treasurer said, "Gee, I don't think we knew what we were talking about," but having said that, they were going to raise some money this way.

We have now formed a committee that is going to report back to this House. First it was supposed to report back in six months. Then they said: "This is a lot more complicated than we thought. We'd better not report back for about a year." They really got looking into it and somebody got the bright idea: "A year is really too quick. We're going to have to report back in, say, about 18 months." Somebody said, "Well, the opposition is going to say we're just stalling this," and somebody said, "Well, we'll put in an interim report." Then someone said, "If we put in an interim report, we won't have to report back for, say, 24 months." So the wheels are turning on the other side. Now we hear it is not 24 but 36.

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They could probably base their next campaign on the first two pages of their Agenda for People and all the promises they made in the last campaign in 1990. It seems to be a pretty appropriate way to do business. Again, some would say, "Gee, this government is less than honest." Not I. I would never say that, but there are some who would say that. If they got hold of this, they might have a really good argument to make.

We have "Ontario at Work" and "Interest Rate Relief." I am quoting from the Agenda for People. We were going to have interest rate relief from "the high interest rate policies of the federal Conservatives." We will use "borrowing power and preferential rates."

"Relief for Farmers": \$100 million would be made available in interest rate relief. There are farmers in Ontario who would say, again, that this government was less than honest when it made that promise, because we have not seen that \$100 million in interest rate relief, nor have we heard of the \$100 million in interest rate relief, nor has the government made any noises about introducing that piece of legislation for \$100 million.

That leads us right back to the interim supply bill. Why can they not do it? Because they have already spent \$10 billion more than they had.

There is a promise about which some out there are going to say, "You guys weren't being real honest," but I am not one of them. I will be clear. Their Premier may well have said that when he was in opposition, as he did on the day they announced the election. He said five times that the then Premier was a liar. I would not be one of those people, but he may well have been.

"Building Homes: The program would make \$1.4 billion in mortgage funds available at the government's own long-term cost of borrowing." Here we are again. All those people out there trying to buy homes for the first time would have qualified for this \$1.4 billion, yet we have not seen the program; we have not seen the announcement. It must come back to this interim supply. We see the government is \$10 billion in debt. Maybe what happened is that

the recession is a little worse than they thought it was, because they did not think it existed when they got elected. It must be that way.

We then get to "Small Business Assistance"—\$40 million available. We have not seen that. Again, it comes back to the interim supply amount. I guess the recession was worse, when they announced this on August 19, than they thought it was when they discovered it on September 6. I am not sure how that works, but I am certain someone over there will be able to explain it to somebody somewhere—if they are asleep.

"Driver-Owned Insurance"—Is this not interesting? The now Premier at the time of that announcement downstairs called Premier Peterson a liar five times. Five times he called him a liar, and he said one of the reasons he was a liar was that he did not honour his auto insurance promise. Some people out there—I am not one of them—are going to think that maybe this government was being less than honest. That would be a terrible thought, but they are thinking it. They have even mentioned to me that this government was not being truthful when it made the auto insurance promise.

I say: "Oh, please, you can't say that about the NDP. They're righteous, they're sanctimonious, they're truthful. They would never do something like make a promise they couldn't keep to get elected." No, not the socialists. Not the Premier, who accused David Peterson five times that day of being a liar for exactly the same thing. I denounce that. I say: "You're wrong. You don't know the socialists." I am getting worried that I might be wrong, but I might not and they might come forward in the next three years and fulfil these promises.

As we go through we see "Job Protection," "Training and Adjustment," "Minimum Wage" and "Pay Equity." We see "Child Care." That is a good one. "New Democrats would provide funding for 10,000 new non-profit child care spaces and for subsidies on 10,000 spaces in each of the next two years." They have not done that, but I think the hilarious part is that they said it would cost only \$240 million. Again, it gets back to interim supply. No wonder they have a problem. They actually thought 20,000 day care spaces would cost only \$240 million. I think the calculator was broken, because if it were not broken, some would suggest—again, not I—that they were being less than truthful. I think the calculator was broken. That must be the problem.

Moving on to "Poverty," that was the eradication of food banks. That was another interesting argument that was made when, of course, government members were in opposition and they could say pretty much anything they wanted or write pretty much anything they wanted, which they did. They would eradicate food banks. I guess the meaning of the word "eradicate" is to do away, gone, delete, finish.

People who are going to food banks now under the NDP government, and maybe the same people who were going to food banks under the Liberal government and the same people who were going to food banks under the Conservative government, may say that the government members were being maybe a little less than honest. But I would never say that, because they do have this financing

problem with interim supply. The financing problem they have is that they have overspent the budget by \$10 billion without really fulfilling one campaign promise. So I would not say that. Interim supply being a wide-ranging ability to debate and discuss different aspects of this government allows me the opportunity to say, "Gee, I guess the calculator is broken."

"Protection for Seniors." The seniors are really concerned. In fact a couple of seniors have said to me on a few occasions, "You know, Mr Stockwell, I don't think this government was being real truthful." I again stand up for the members opposite. I say: "No, it cannot be. Not the socialists. Not the NDP. You mean, the people who wrote *An Agenda for People*, you honestly believe they were just saying these things to get elected?" Then of course they understand and say, "Oh, I think I lost my head for a moment there," and they get back to reality.

Not the socialists; they would never say things like that. Liberals and Conservatives would, but never the socialists. They could not say that because their Premier, on that day when they announced the election downstairs called Premier Peterson a liar five times for not fulfilling his campaign promises. They could not do that and look themselves in the mirror, so it could not be them.

"Rights to a Clean Environment"—this is another good one, the environmental bill of rights. That was so easy to write on this side of the House. They wrote it two or three times, I think, and they introduced it. Now when they get to that side of the House, I think they honestly forget how to write. That is the excuse I use for that one: They forget how to write.

Mr McLean: You forgot "Rent Control."

Mr Stockwell: I forgot "Rent Control," which was a total move to the right from the principles they espoused when they were in opposition. Even some people in apartment buildings have suggested that this was less than honourable, but I am not one of them and I have defended members opposite.

"Clean Air" and "Preserving Agricultural Land"—we heard today about agricultural land, a weigh station on four acres of land. Then they are parcelling up the Niagara area, an acre at a time to finance the operations, which again is something members opposite have opposed. They will get around to it, right, in a few years? There is no question. I said that to them. They have been really busy.

"Improving Public Transit"—this is interesting. They announced the program for Metropolitan Toronto about moving forward and the \$5 billion. We have not seen a dollar yet, but they announced it so they must mean it, right? They have to mean it, because they did the announcement.

"Responding to Needs of Native People" and building the northern fund. This one is interesting as well, because they are talking about single-industry towns and the Liberals bleeding the north dry. "We propose a northern fund of \$400 million over two years," returning jobs and \$200 million a year.

Then we get down to another northern promise. I was up in the north not long ago, in Thunder Bay, and people

are not sure but they said to me that maybe government members were not telling the truth when they made the promise that they would four-lane the Trans-Canada Highway. I said: "You're kidding, aren't you? You can't tell me you don't believe they meant that." They say they did not. I say, "Now, come, come, not the socialists," and they say, yes, the socialists."

It is of very much concern to people in the north too that maybe the government members made a couple of promises they could not keep. I do not think that is the case, but again they will have to go up and defend that decision and ask them about it and probably in the next election a Conservative or a Liberal may well pull this out. Government members had better warn their northern members. They had better be warned that somebody might say, "We promised to four-lane the Trans-Canada Highway and we didn't do it," so they had better have an answer. What about "We forgot"? That is another good answer. We forgot. We meant to four-lane it but we just never got around to it."

They were not being irresponsible. They said they could do all these things, which I thought was really good of them because they put a pricetag on them, and their expenditures for 1991 would be around \$44.5 billion. Now we go. We have all these promises. This comes back to interim financing. Interim financing is really important, because we have a government that made a lot of promises, which we calculated at \$14 billion or \$16 billion. Of course, we were just Conservatives, we were merely Tories. We were just trying to get elected, so we calculated the figure at \$14 billion to \$16 billion. The government members, being the true socialists they are, who would never make a promise they could not keep, suggested it would cost \$2.38 billion to do all these programs and of course the expenditures for the 1991 operating budget would be about \$44.5 billion. Well, we have seen that the operating budget this year is, I think, \$53 billion or \$54 billion.

They have not even fulfilled these promises and they have already spent \$10 billion more than they thought they could spend. Again people across this province will say, "They weren't being honest." But they do not know the government. They do not know that it would never ever make a promise during an election campaign that it could not keep in order to get elected. No, they would not do that. In that studio downstairs, when the then Premier Peterson announced the election, they would not do that because their leader, the member for York South, called Premier Peterson a liar five times for not fulfilling his campaign promises. They would never ever do that.

That is what I tell them. Again they come back and say: "Gee, I don't know what got into me. I don't know why I said that." I almost thought for a moment, a fleeting moment, that some of them said to me—I have washed it right out of their heads—"Gee, I thought for a moment here that the socialists were just politicians." I straightened them out right away. I said: "No, they're more than politicians. They're not mere politicians who would make promises to get elected. They would never do that." People

read the Agenda for People and these are the conclusions they reach. The government has a lot of spade work to do out there, to get out to the constituencies, to get out to all these people who are thinking these impure thoughts and straighten them out and tell them: "No, we wouldn't do that. This is a figment of your imagination, the Agenda for People. We didn't do that." They are going to have to face the fact that some are going to say they were less than honest, but they can handle those people.

Dealing with a few of the issues we are faced with today that were spoken about in the Agenda for People—again it is the wide-ranging debate of the interim supply bill and how come the promises cannot be kept or are taking longer to keep—one of these would be waste disposal. I am running into people in the regions of Peel and York who are somewhat concerned that, as Mayor Hazel calls her, the Great White Mother, the Minister of the Environment, who was so pro-public hearings and pro-environment when she was on the opposition side, has moved that the Keele Valley and Britannia dump sites be expanded without a minute of public hearings, without a minute of environmental assessment hearings. There are people out there in Peel and York who think that when the government's leader stood on those sites and said, "Never will I allow these dump sites to be expanded without full environmental assessment hearings," he was being less than honest.

Hon Mr Pouliot: Lay off. Enough.

Mr Stockwell: Exactly. I said that: "Enough. Stop it. You've obviously lost your mind for a minute. They would never do that. Even the Liberals know that. They would never do that." Our caucus quite often goes into the fact that, "Gee, I'd like to attack them on their promises but they would never say things to get elected that they didn't mean." No, not the socialists.

Another interesting issue of concern that has happened in the past few months is that the police are investigating opposition members and trying to find out exactly where they got leaked documents. If this government had been in opposition at the time these documents were leaked and had got its hands on these documents and had asked a question about them or outlined them in the House here and another government—say, someone as wily and unkind and almost dishonest as the Liberals or Conservatives—had sent in the police, I think this government would have been very upset.

I think it was obviously just something that came up and they did not give a lot of thought to. So again I protect their interest when this debate comes up about the police investigation and the fact that they were not doing anything they would not have expected when they were in opposition. For instance, if they had got a secret envelope and introduced it in the House, I think the member for York South would have been accepting of the fact that yes, they sent in the police to find out where he got the envelope. I think they would have accepted that. I do not know why they would not do that.

With regard to the power corporation, gee, I do not know. I did not hear any promises—speaking about

interim supply again and the financing of this great province—during the Agenda for People or the campaign that they were going to raise hydro rates by nearly 50% over a three-year period of time. I never heard those promises. Some say they never made them because they thought it would not get them a lot of votes. But I straighten them out and tell them: “No, that’s not the way it is. They didn’t know about it. They were not sure that was what they would have to do, fund social programs through the process or try to fob off the payroll of the chief executive officer and chairman to the board rather than taking the responsibility themselves because they did not want to have the flak from the public.” I said: “No, they never had those ideas. That’s just something that has come up.”

Sunday shopping is crucial. This is a tough one. This is a real tough one when I get a constituent who comes up to me and says things like: “This party was in favour of a common pause day for all 12 months in a year. Now they are in power, they are saying to me we can have a common pause day 11 months out of the year and for the 12th month they are not in favour of a common pause day.” They are saying that the government was being less than honest once again, but I defend it.

I say things like, “No, they gave this a lot of thought in caucus and they decided we can shop on Sunday in every month that starts with a letter D.” They have come to the conclusion that this is a good policy to have. They have decided: “Gee, we can protect the workers’ rights 11 months of the year, but it is way too onerous and way too time-consuming to protect the workers’ rights 12 months of the year. To alleviate a lot of work, we’ll only protect them 11 months and then in the 12th month we’ll say to everybody, ‘Don’t worry, you’re being protected.’”

I really have a tough time following that theory, because if they can be protected in December, why can they not be protected in all the other months of the year. If they can protect the workers in the month of December against the problems and concerns they have for a common pause day, why do they not just introduce the same legislation for 12 months of the year? Here is a brainwave. Here is a bolt. Maybe one of them could catch this. Maybe they could introduce a piece of legislation, patterned on the legislation they just introduced, that could protect the workers in December and the other 11 months. That is just crazy enough to work. They should take that one to cabinet and somebody should stand up and say that. Of course, it was not exactly what they said in the election, and they would not say something to get elected and they would not make a promise they could not keep, but if they did, that seems like a way to do it. I know they would not, but if they did.

I think labour laws are driving people and businesses out of this province. People in business are going to have very grave concerns about the labour laws. I have spoken to a number of businesses. I think when they are introduced, there will be an exodus to south of the border or to Manitoba or to Quebec.

I would have liked to get into law and order but I think there is an opportunity for others to enter into this debate. It would be of interest to hear what they had to say. Maybe they could give me some ideas of what I could say to

members of the public when they come and tell me the government was being less than honest when it wrote the Agenda for People and is not doing any of it. Maybe they could give me ideas about what I can respond to my constituents, to tell them: “Gee no, they’re being honest. They just didn’t know what they were doing, as the Treasurer said or they were being far too simplistic, as the Treasurer said. Or should I just say what the Premier said to Mr Peterson, “You’re a liar”? Should I say that, or what exactly?”

There are a lot of broken promises here, or potential broken promises, and there are a lot of people out there who have some real grave concerns. Sunday shopping is one.

1610

Mr McLean: School funding.

Mr Stockwell: Another one is school funding, and should get to that, because right now we are in the midst of a municipal election. I am glad this one was brought up.

Right now we are in the midst of a municipal election and there are trustees out there running for the school boards who have said things like, “The NDP promised 60% funding but knew full well it couldn’t deliver.” Imagine someone standing up and saying publicly that this government made a promise of school board funding of 60% of costs and knew it could not do it, that it was just making promises to get elected.

Their ears should burn when this happens, because they are being talked about in every community hall and every all-candidates meeting that is taking place for the trustees. Everybody is saying, “Gee, this government might not have been telling the whole truth when it was running last time.”

I pop up at every one of those meetings and stand up and say: “Hold the phone, folks, they’ve got three more years to fulfil that promise. They said to us in the House that they’ll fulfil that promise, even though they are \$1 billion in debt.” It is going to cost billions and billions of dollars to do it, and even their Minister of Education said it is impossible to do and “I don’t think we can do it.”

The government will still fulfil that promise, will it not? Because otherwise it would be letting down a whole bunch of people. Worst of all, people would start saying things like, “Wow, those socialists are just politicians,” “Those socialists said some things in the election that they had no intention of keeping.”

I am glad I had the opportunity of discussing interim supply. I think this government has some problems, as all governments have. It has some problems with respect to promises it has made, but the very greatest problem that this government has is this, and I will say it to the public—

Mr Johnson: Right now it’s you.

Mr Stockwell: Maybe it is me. Maybe I am their biggest problem. Maybe the member is right. But I want to remind the government members of the things they promised just so they do not forget. I would not want to see them fall off the soapbox they preach from or used to preach from. I do not want to see them do that, or fall off from under their halos. So I am going to promise that I will keep reminding them of these things until they fulfil the promises.

The most important problem this government faces is the fateful day on August 19, 1990, when its leader, the leader of the Opposition at the time, made these promises and these statements, because they are socialists and they are always told us that they will do as they say. They do not like parties that make promises and break promises. They have said it right in here. They do not like parties that will just say anything to get elected and they do not like to have a catalogue of promises they cannot keep. This is their problem: They have gone into power with those promises and commitments outstanding and they are falling all behind in a lot of their commitments and promises.

The other problem the government faces, all of this time, come next election, is that the day the election was announced its leader sat downstairs in that studio and said the times that Premier Peterson was a liar for not fulfilling his campaign promises. He said that five times. They have no problems: They have a catalogue of promises they have made and a leader who called another leader a liar for not fulfilling his campaign promises.

Interim supply is an interesting debate. It allows the opposition time to go over some of the motions and legislation and to go over the last election and look the people across the floor in the eye and say: "Tell me when you're keeping your catalogue of promises. It is getting very difficult to defend you."

Mr Drainville: After listening for a considerable length of time to the rhetoric and hyperbole of the honourable member opposite, I must say that I have been noting with regularity the verbal inexactitudes with which he has peppered his discourse.

In his attempt to pillory the Premier in terms of the comments he made on the day the election was called, I must say, as a member who has sat across from the honourable member for Etobicoke West, that on many occasions his own speeches and his own comments and interjections during the House have not been, let's say, without some inflammatory aspects. Words like "bunk," "unreal," "garbage," "that's embarrassing," "resign" and a number of other things that would be totally unparliamentary for me to mention here have been uttered by the honourable member.

I must say in those terms, when he says to us over here that he defended us, he could not defend us because he cannot stand on anything that he believes. He attacks the government, but does he put forward his own agenda? No. He raises the Agenda for People, in my view a fine document that indicated the direction we want to go in in Ontario. If he says we have not complied with promises, indeed we have not, and it is a credit to this government that we have been willing to accept the financial difficulties and challenges that we have.

I must say, in terms of this constant attempt to vilify by making himself look noble in the process and by saying that he defended the government, we know the truth of this situation, and the truth is that he is trying to make others look bad at the expense of not putting forth one wit of credible policy or evidence.

Mr Bradley: The member had a lot of interesting things to say, but one of the things I was surprised at was that he did not raise the issue of Niagara farm land disappearing.

Mr Stockwell: I did.

Mr Bradley: Perhaps he did and I just missed that part of the speech. The reason is that we have a situation where the Ministry of Transportation in Ontario is attempting to expropriate land from farmers in the Beamsville area.

There is a Martin Schuele who, it says in Friday's *St Catharines Standard* in an article by Carol Alaimo, "is a rarity among Niagara farmers—he's optimistic about his future. That's why he cannot believe the Ontario government wants to pave over part of his vineyard to make way for a massive development at the same time the province is pushing for farm land protection." He wonders why, when the farmers of the Niagara region are forced to keep their land. They cannot sell it; they are restricted by rules of the province from doing that, and by the regional municipality, though it appears to be changing its mind. On the other hand, this government, to set the example, would pave over prime farm land in the Niagara region.

I am a person who believes in the preservation of agricultural land. I have said so on many occasions in this House. That is why I have spoken to and directed questions to the Minister of Agriculture and Food indicating there should be sufficient support for those farmers so they are able to retain their farm land.

I heard the Premier of Ontario in Beamsville announce that he was going to protect farm land in the Niagara region, criticizing previous governments for this. Here we have the Ministry of Transportation bulldozing ahead, expropriating land from farmers who are working hard to save that land. They want to farm that land, and we have the province, led by the Minister of Transportation, doing the opposite. What was most flabbergasting was the fact that the Minister of Agriculture and Food apparently knew nothing about this.

Mrs Marland: It is really amazing to hear the member for Victoria-Haliburton get up on his feet and talk about verbal ineptitude—I think those were the words he used in accusing my colleague the member for Etobicoke West—when this member for Victoria-Haliburton, I would suggest, is a past master at verbal ineptitude.

The difference—this member obviously, although he has been here a year, still is not able to see it—is that the member for Etobicoke West did not promise the Agenda for People. He did not campaign on the promises contained in the Agenda for People. The Agenda for People was the New Democratic Party's campaign promise. It was this socialist government's promise to the people of Ontario, and it is the most insulting campaign literature the people of Ontario have ever been exposed to.

We have a Minister of Education, which I will give just as an example, who will not even visit St James School in my riding, to come and see the kind of conditions those students are trying to be educated under.

We have had all kinds of examples where this government on the one hand talks about how much it cares about

the people of Ontario, and at the same time is ignoring the basic needs and rights of those people of Ontario. We can talk about housing, we can talk about health care and we can certainly talk about examples in education. When we look at the kinds of cuts hospitals are having to make in this province today and the whole responsibility for the provision of health care, this government simply does not care.

1620

Mr Johnson: I listened with interest to the member for Etobicoke West and I heard him mention that he did not know what he could tell his constituents. He was having trouble trying to find the things he could tell his constituents about this government. I would suggest that he tell the people in his constituency that many years of bad government in Ontario, leading up to the government this government inherited, is one of the main reasons we are having the difficult time we are having today.

There are more reasons. There are reasons their federal cousins have contributed with the free trade agreement, for example. Certainly the federal government is trying to bring our country into the global economy and most would say that is inevitable, but how they did it is the thing that is so serious, and the fact that they did not plan as well as they should have. They did not have the ability to foresee the future as they should have.

Here we have a member of that party, albeit a provincial member, who says he does not know what to tell people. I suggest that maybe he should tell the people that this government unfortunately inherited a situation that is very tragic, a situation where we found ourselves more in debt than we had anticipated. With the lost industrial and manufacturing jobs, personal income tax revenues are down. People are not buying as they usually do, and the fact that retail sales tax revenues are down has made it very difficult for this government in any way, shape or form to deal with some of the things it said in the Agenda for People that it might like to do.

I think he might remember this and might tell his constituents that this is one of the problems we have to deal with. The fact that this government made suggestions of what it might like to do should it be in government I think is very honourable and some day in fact may be true.

Mr Stockwell: I would comment on the member for Victoria-Haliburton's statement, but as usual it is not worth commenting on, so I will move on and comment on the member for Prince Edward-Lennox-South Hastings.

The funny thing is that when I tell constituents I run into that they have a lot of problems, like the recession, that the federal government is not their friend, and that there is the GST, free trade and all those things, do members know what they say to me? They say, "Gosh, Chris, weren't all those things in place when they made the promises?" and I say, "Yes, they were." "Wasn't the GST going through?" I say, "Yes." "Wasn't free trade in effect?" I say, "Yes." "Weren't we in the middle of a recession?" I say, "Yes." "Weren't the Conservatives in power federally?" I say, "Yes."

Then they say to me: "You'd think, Chris, that the people made these promises solely on the proviso to get elected. I don't think they meant them. I don't think they were sincere. I think they just said this so they could form a government." I say: "Even though the GST was there, free trade was negotiated and the government was in place federally, even though all the things were there and you say they're using them as excuses, I say you don't know the socialists, because the socialists wouldn't do that. They're too sanctimonious, too righteous. They have far too many soapboxes to preach from."

The New Democrats have this problem out there and they are going to have to deal with it on a riding-by-riding basis. The whisper campaign—and I will let the members opposite in on it because it is a secret—is that they make promises they could not keep. Some people are suggesting, like their leader, that people lie when they do that, but I say they would not do it.

Ms Harrington: This afternoon is an opportunity to look at the interim supply bill. It is also an opportunity, as we have heard today and for several days last week, to assess and reassess this government, the past, the future and the present. I would like to look at the direction of this government, and I would like to also comment on some of the previous comments that have been made with regard to this bill, as the opposition has done.

First, with regard to the previous speaker, it is certainly very obvious and evident to everyone in this chamber that some people just live on a stage, which is a wonderful thing to do if you can, to be in high drama at all times. I did not think too many people could top our own Minister of Culture and Communications, the member from Stratford appropriately enough, who had such a sense of drama over the weekend, with the Prince and her shoe, but certainly this member can try to do that. This member does live on a stage, but the people of Ontario do not live on the stage. They live in the streets, in the homes of Ontario. I ask them. They are the ones who are judging at this moment the evaluation of this government. Obviously that is the way it should be.

The member for St Catharines last week put forward the argument that this government is no different than others, and I would like to touch on that. Also the member for Markham last week made the statement and went into many details about how this government has no business sense, and I would like to address that issue as well.

Last Thursday, I arrived home on Thursday evening and my husband had been watching the House in session. I guess he does this for entertainment. He was telling me how he was very impressed with some of the statements from the member for Brampton South, some very cooperative attitudes, some reaching forward and working together. I appreciate this. Some of the things he was saying today were that we should reform the process, that we as a new government should try to look at this House and how it functions, as well as our interaction with the whole province, and try to bring forward some new ideas to make how this Legislature operates more relevant to the people of Ontario.

also would like to put forward my own personal view within the last year—this is a time to evaluate how our government is doing and where it is going—I believe we have made a substantial change in attitude in Ontario, and I would like to address that point.

First, I think it is appropriate that we look at the challenges we face. I think everyone would agree that one of the major challenges we face is bringing the spending under control in several large ministries. I think this has been the case for several years. For instance, in the Ministry of Health over the last decade, the increases each year have been in the order of 8%, 9% and 10%, and this cannot be sustained.

Other ministries, such as the Ministry of Community and Social Services and the Ministry of Education, are also spending ministries, and we have to deliver these services to the people of Ontario in a way that is affordable. Everyone knows that. What we have to do then as a government is take much care in evaluating these huge ministries. We cannot change them overnight because they are so important to the people of this province. They do not turn around on a dime.

Second, what we face is not just a downturn in the business cycle; we face a major restructuring of manufacturing in this province, something that is very difficult because the government is not in control of this situation. There is a worldwide interaction. Yet we have an obligation to the people of this province to plan for the future and to have some vision as to what kind of jobs we will have in the future for our children. We cannot say it is not our business. We have to be involved.

Third, what we face in this province is a national constitutional crisis that we have to be involved with. I would like to tell the members here and also the people watching tonight at 8 o'clock in this very chamber—it will be televised—our select committee on Ontario in Confederation will be meeting with the federal joint parliamentary committee to discuss our vision for the future of Canada. I would mainly invite everyone to come to the chamber—it will be open—and also to watch on television.

The bottom line is that the government is facing not just one but three enormous challenges. An illusion has been put forward—and it is a very plausible one at times—that there is a great difference, a great gap between those people who believe in equity in society and those people who believe in efficiency. I am here to tell members that we have to believe in both.

Most of us on this side, as I think the opposition may have pointed out in the past, may have got involved in politics because of a social justice issue. I must admit that I have been involved with environmental concerns locally and then I have been involved with women's issues. Those are my roots, that is what I believe in, that is why I am here. I do not believe that. But the creation of wealth is crucial and we as a government have to address that. Why? Because social justice issues are impossible to change effectively without a healthy economy. We can look at it as a pyramid. On the top of that pyramid is our taxation base, our jobs situation. What we collect in taxes, we can then reform the

system with, but it will not work unless we have a healthy economy.

Before this year, there was enough gravy in the system that things could be changed. Now there is no more gravy. It is going to be a difficult time. What we have to do is have a level of trust in our society. We have to work together because of the huge problems I have just described.

I would like to give members a sense of an event in my riding this weekend. On Saturday evening there was a conference in Niagara Falls. It is a beautiful place to come for a conference. We have lots of facilities. At this conference, we had several officials from the Catholic school boards across Ontario. I had an opportunity to talk with them to find out how they feel about our government. We also had the Minister of Education there speaking to them. There was a level of understanding from officials of the Roman Catholic school boards across Ontario that we face a difficult time. There is considerable trust, I would put forward, and co-operation. They are in fact willing to co-operate with their coterminous public school boards and co-operate with the government. We are all in this together.

The previous speaker was talking about problems of believability. I think it is up to all of us in this House to put forward in our own personal way whether and how this government can be believable. We have to be honest. We have to be straightforward and tell it like it is.

Let's assess where we are at this time. About last August, getting towards the anniversary of the election, many people, including the press, wanted to evaluate this government. This is from the *Toronto Star*. It says, "But there is evidence that, after a difficult first year, Rae has sorted out his priorities."

Success "depends on co-operation from business. One of the unanswered questions"—and I put this to members and the people of this province—"is who in the business community will step forward and work with a government that fairly and squarely won last year's election and has a mandate to govern to the mid-1990s." We are here, we are extending our hand and we are asking the same question the *Toronto Star* asked, "Who is willing to come with us for the benefit of this province, for the benefit of the future?"

The *Globe and Mail*, towards the end of July, made this comment in an editorial, "There need be no conflict between progressive, compassionate government and basic economic literacy." That is what I am telling members here today. We have to put those two things together.

I would like to give just a couple of more quotes to see if I can interest anyone.

One of my friends in the Ontario Home Builders' Association whom I have met with, Al Libfield, president, said a few months ago about our budget, "I think in the long run it will mean more jobs."

The mayor of Windsor said, "There seems to be a real willingness on the part of this province to play ball with manufacturers and also to stimulate research and development and diversification in the economy."

When I was elected at the municipal level, there was a great deal of tension between the provincial and the municipal levels over not co-operating together. I do not want

to speak out of turn, but I believe that relationship is improving. It is very key that we work in partnership with the municipalities across this province, so it is our responsibility as government to try to build confidence. But it is a two-way street.

I would like to give a few quotes from the Premier, to show that it is not just myself: "Confidence is so important. Wealth creation is crucial. 'Competitiveness'—a word that we heard quite a bit about this last weekend—"is a word that makes a lot of sense to me. Prosperity, the creation of wealth, attracting investment, encouraging innovation, encouraging...entrepreneurship, change, accepting markets, making them function effectively, rewarding innovation, creating profits—these are things which have to happen in any society. ...unless these things happen, it becomes very difficult for that society to function effectively or fairly. In fact, it becomes impossible."

Those are the words of the Premier. Co-operation is important, and I would put forward that management and labour have for too long been working in two solitudes.

This is also a quote from the Premier, what he would like to see: "Let us see a business leader"—

Mr B. Murdoch: I hope it is not too long.

Ms Harrington: My friend the member for Grey, I am sure, would like to hear this.

Picture this: "When a business leader goes down to the Empire Club and says: 'Enough of this nonsense, attacking trade unions. We have got to get them involved and get them more involved, not less involved, in how we do things.'"

On the other hand, the Premier would also like to see a trade union leader go in front of an audience of workers and say: "Look, folks, we have to be concerned about wealth creation. We have to be concerned about the efficiency and productivity of our firms, because unless that happens, we simply will not be able to sustain the kind of life that we have grown used to and that we need to have in this province." Those are the realities.

In August, I believe it was on my anniversary, I went to speak to several clubs. One was the Rotary Club. Another was the landlords of the Niagara region, so I really had quite an anniversary. At the Rotary Club, after speaking to them for a few minutes, in closing I said: "I know, gentlemen, that I did not see any of you, that I recall, at my nomination meeting a year ago, but be that as it may, we are in this city together. We are in this province together and we must work together." That is the two-way street that I was talking about.

I would like to tell the House and the people of this province a little bit further. Ten days ago, under the auspices of the parliamentary assistant to the Minister of Industry, Trade and Technology, we had our first meeting of the small business committee of our caucus. I would like to let everyone know what the mandate of this committee of parliamentary assistants is, because I believe, and I think our caucus also believes, that small business and business in Ontario is important, as I have just stated.

The mandate of this committee is to ensure "that the Ontario government has a positive, co-ordinated approach

to small business," and I take that seriously. The mandate is also "to help ensure the government's agenda is implemented in a manner sensitive to the success and growth of small business in Ontario." It is also to screen "new legislation and rules to make them as responsive as possible to the realities of how small business operates."

1640

This government is new in Ontario. It has been here a year. But I remember going 10 years ago to a federal NDP convention in Vancouver, BC. At that point, I believe there had been an NDP government there in the previous decade. When stepping off the plane in Vancouver there were lobbyists coming up to the delegates giving us pamphlets from the small business community of British Columbia saying how well it had worked with the New Democratic government in British Columbia back in the 1970s, and they were trying to influence the federal NDP convention at that time.

I would also like to throw this in for the record. I grew up in Saskatchewan, and way back then Tommy Douglas was the Premier. If members would care to look at the record of the economy of Saskatchewan back in those days, one could certainly see that there was an economy that was healthy, that there was an economy that was balanced, and that the government of Tommy Douglas looked out for all the people in that province, and that is what our government has to do as well.

The bottom line here is that we have to build confidence for the economic future of this province, but I would also like to add that at the same time we must not compromise our principles. We came here with concerns about the environment. We came here with concerns about labour reform. We came here with concerns about how energy generated in this province. We will continue to bring that baggage with us because that is what we believe in. Those are our roots.

In closing, I have one further matter. I wish to look at some of the attitude I find coming the odd time from members of the opposition, the attitude of, "Let's go back to the good old days." It seems that somewhere there were good old days we could go back to. I do not know whether it was the 1950s or the 1960s or what sort of Tory era that was, but I would like to say that I went to university in the 1960s. It was a wonderful time; it was a wonderful experience. From my point of view, everything was great in the province. Subdivisions were expanding across the towns of Ontario. We were looking towards nuclear power. There was, we hoped, a new car in every garage that was the aim of life. There was progress at any cost. "Bigger is better."

I think we have to rethink those good old days and see if that was the reality back then. It was for me; I had those privileges, the opportunity. Maybe it was people who were WASPs, white Anglo-Saxon Protestants, but that was not the reality back then for many other people. Let's deal with the reality here.

What about the disenfranchised, whether it was women, disabled people, minorities or native people? Members opposite should just think about what life was like for people back in the good old days. We do not want

back to the good old days. We want the good new ahead.

would like to end by giving the members a little of what I heard last weekend at the conference we attended at the University of Toronto on the Constitution of Canada. We heard some very powerful thoughts. One of the most powerful speakers there was a person from the Assembly of First Nations, Gordon Peters. He said to us as government and as a group of people representing all of Ontario—there were 130 people there—he pleaded with saying: “We must end the denial of our existence as native people. Let’s think about that. End the denial of our existence.” I think maybe that is what we have to do. In the good old days we denied the existence of very many people in Ontario, not because we wanted to but because that was the way it was.

I would just like to finish off by telling the members a little bit more of what Gordon Peters said: “Since the Indian Act of 1924, our value as a people was rejected. We do not simply live side by side with respect, as many other people in Ontario want to. We want to live, as native people, by natural laws in harmony and we are still extending our hand with love and respect to the people of Ontario, to the people of Canada.” I hope we as a government, with the help of the opposition, can evaluate where we are going and do the very best possible job for the people of Ontario.

Mr Grandmaitre: I have a whole lot of respect for the member for Niagara Falls, but what I have just heard from her is: “This is life. This is what we’re faced with. These are the facts of life.” I accept that we have to deal with the facts of life, but I would like to remind the members that 14 months ago, when the NDP prepared its agenda for the future, this is where it failed. I am not going to chastise the members opposite for saying: “We’ve made a mistake and we’ll take a second look at our budget. We’ll take a second look at our programs.” But no, they are not going to talk about these things in the House.

Ministers are afraid to make statements, so how can we deal with these difficulties they are going through? They are asking us to work with them hand in hand. How can we do this when ministers do not even show up in the House? How can we improve the programs? How can we work with government members? The good old days are over. Members opposite are the new government. They are supposed to have new approaches. We want to know what these new approaches are. We want to work with them, but they do not have a program. All they have is a promise for the next four years that will bring down the financial—

Hon Mr Pouliot: We went home.

Mr Grandmaitre: Thank you. Another minister, the minister responsible for francophone affairs, is leaving. It is not important for him that he should resolve the problems of this province. Maybe when he gets back I will give him another lesson. I just want to remind the member that I want to work with him, but he should bring us things to work with.

Mr Stockwell: I listened to the comments of the member who just spoke, both in the House and out of the House, and I will say I have a tremendous amount of respect for her. The real concern I have with the presentation and with the statements that were made is that they are looking for some kind of olive branch from the opposition so that we may work together to build a better Ontario, etc. I think that olive branch must come from across the floor.

Some of the concerns that have been outlined in this House very pointedly have been made by the leaders of the Liberal and Conservative parties: the concern about ministers not making statements, of not being involved in any sort of decision-making, even the committee process itself, where rational and responsible recommendations that are made to pieces of legislation are dismissed. Then we hear announcements that come back to this House from the Solicitor General with respect to Sunday shopping. His position on Sunday shopping, to the previous speaker, is, “Either you accept this marginal amendment you would like and buy the whole package or it is nothing at all.”

1650

Before the government can go around resolving the ills of the world, I think it has to start looking at itself and—I will harp on this till the day this House rises and goes to the next election—at its Agenda for People. Maybe they should analyse that Agenda for People and admit that it was farsighted—

Mr Christopherson: Hear, hear.

Mr Stockwell: I am sorry. I mean it was farfetched and impossible to fulfil. Until they do that, how can they expect anyone, from constituents, the electorate, to the opposition parties, to give them a shred of credibility when they still have this parcel outstanding without any hope of endorsing or implementing it? It is not a credible position.

Mr Perruzza: I am very pleased to be able to respond to some of the arguments made here this afternoon. It would seem from some of the comments and suggestions made by both Liberal and Conservative Party members that the NDP, in government for one year, has brought down all the ills that have ever been cast on the people of Ontario.

They quickly forget that the Conservative Party has a federal partner which has been in government in very good times, in booming times, and the Liberals also governed this province during boom periods. They heaped large amounts of tax on the people of this province and the people of this country. They committed themselves and overextended themselves to programs which this government now essentially has to honour—big commitments.

I remember a little while ago, in a by-election somewhere in Quebec, the federal Tories going in and dumping all kinds of money into the province to elect Lucien Bouchard. Lucien Bouchard turned on Mulroney and company, but that was big money to elect that member. Those were good times.

The provincial Liberals taxed everybody on everything imaginable. There was the commercial concentration tax. They devised sneaky, backdoor ways of getting into

everyone's wallets, and they got into so many different kinds of programs that we now have to honour.

Mr Bradley: I was surprised that the speech by the member for Niagara Falls did not deal with a couple of items that I thought it might. First of all, I thought she might refer to the computerized axial tomography scanner that is very much needed in the Niagara Peninsula. She would know there is a lineup now of some five or six months for people who need the use of a diagnostic tool such as the CAT scanner, and I know she would be supporting this initiative that I have raised many times in this House. Whether at Niagara Falls or Welland or St Catharines, wherever the CAT scanner or CAT scanners are located, I know she would consider that to be important.

A second item that I thought might be mentioned was the \$100 that used to go to those students who worked so very hard to achieve the title of Ontario scholar. I was at Lakeport Secondary School last Friday night. What had happened there was that one of the parents, matched by the members of the teaching staff, had provided the funds for the Ontario scholarship, because these people felt so badly that those students who had worked hard—this was a reward for hard work and for excellence, two things we want to see in the province of Ontario—had it pulled out from underneath them without any notice. This was something that was always proposed to the previous government, but we felt we should reward excellence and hard work on the part of those students.

The last thing I want to mention, because the Minister of Culture and Communications is here, is that I am very disappointed that TVO, having heard the disappointment of some members of the Legislature that question period was being moved from 11 o'clock or 11:30 to 12 o'clock—as usual, the chairman of TVO in his own style, or someone over there, has now ensured that question period does not start until 12:30. So those who are genuinely interested but who do not have cable TV and have to rely on Ontario's educational television network, TVO, now have to wait until 12:30. One would hope the minister would intervene to ensure that would not be the case.

The Deputy Speaker: The member for Niagara Falls, you have two minutes.

Ms Harrington: Thank you very much for the opportunity to put forward my ideas and thoughts in this House. I want to reiterate the message that I was not trying to give a meaningless olive branch to the opposition, because I know that is in most cases quite useless; it is unreal is what I am saying.

The message I was trying to convey is that for the future of this province there has to be a confidence, a dealing with this government in a way that says that, yes, we are the government, yes, we are making decisions, and the business community should be dealing with us. It is as simple as that.

I also want to reiterate what the member for Brampton South originated, which is that there should be and could be reforms within the processes of this Legislature. It has probably been around for centuries, going back to the British system, and there are many traditions. Traditions are

good, but we also have to look at whether they are impeding the progress of this province.

I appreciate the responses from the other members who did not get a chance to go on about cross-border shopping which is something I am very concerned about as an economic consequence in my community and across the whole province. It is something that is tied up with this whole issue of confidence as well. We have to have confidence that the way of life is worth supporting and is better than anybody else's. I do not mind people shopping over there if they have to; I understand that. I am saying we have to realize what is different about Ontario before we go spending our money over there, and realize the consequences.

Mr Cordiano: I am delighted to have this opportunity to reflect, and obviously we in this House are all reflecting on what has taken place over the last year or year and a half with respect to the new regime that now leads the province into the future. I have listened very carefully to the previous speakers talk about what took place in the last year and a half.

I was very interested in some comments that were made about the last election. Members have talked about the spirit of co-operation. I know the Premier, upon being elected, talked about changing the nature of the way the business of this House is conducted and the spirit of co-operation that must rise above all else to make this place run better. I know there are good intentions behind that, and I know most members would want nothing more.

I am sorry to say that we did not get off on a very good foot and that in fact the tone of the last election was quite a nasty one. I can remember not just the leaders of the parties discussing their disagreements vitriolically, with language that perhaps was not heard before for quite some time, but at all-candidates meetings throughout the province, the same thing was repeated over and over again. The tone was quite shocking.

Of course, politics is a tough business and a lot of members sitting opposite—

Mr Perruzza: It had to be shocking.

Mr Cordiano: It was shocking to see some of the people who were involved in the all-candidates debates and some of the things that were said, quite frankly. The level of debate had declined quite a bit. Not to be personal, I would simply say that we got off to a bad start. A lot of things being considered, that was behind us and we had to get that behind us.

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But I would say to members opposite, to those who are in the governing party, that it is quite important to understand that there is a level of co-operation that is necessary not just in this House, not just among members, but throughout the entire society, and that we need everyone's co-operation, not just to make this place run, but to make the economy run, which is our priority today, which should be everybody's priority across the way there and of even one on this side of the House as well, because, my friend, what we face is a disaster, a crisis, not just a crisis of confidence but a real crisis.

Interjection.

Mr Cordiano: I heard the member squealing in the background there, but I did not quite make out what he said. I will ignore what he is saying because I want to stay on with the debate and I am sure what he is saying is unimportant and trivial that it makes no difference.

Let me just add that the members opposite may laugh at what they see as efforts by the opposition to reach out and talk about what needs to be done and the efforts we are on a day-to-day basis to actually help this government out with respect to what I think it needs in terms of support, the efforts, the ideas and the new approaches it might take. I know members in our caucus are genuinely concerned about making this government do a better job, not just bringing this government down for the next election, although we all wish that on this side of the House, and that will inevitably happen because of its own actions, not ours. Everyone understands that. Their own actions; that is what is going to happen.

But I would say that there are members in our caucus who are genuinely concerned about the plight of all our citizens and the plight of our children and their future, and the children of the members opposite too, and what is going to happen because they are governing this province. I am concerned about that. That keeps me awake at nights. I am sure there are lots of people who would agree with me.

Interjections.

Mr Cordiano: So to my friends who are yelling and screaming on the other side I would say that they should be concerned about what they do. They should be concerned and get involved and not sit there on the back benches at times quietly, at times fuming.

Interjection.

Mr Cordiano: I have plenty of time. If the member is not here, I will let him know what I think for the next hour, although I have respect for my other colleagues and I know they wish to speak this afternoon, so I will not take the rest of the time that is available to me.

I do want to say to them that our business is serious and that we have serious and fundamental differences of opinion, the kinds of differences of opinion that my friends on the other side would fail to understand because they have no comprehension of what we are talking about—not just luckily there are those on the other side who do understand those differences of opinion and can respect that we come from different, and fundamentally different, points of view. Therefore, I would think there is some hope still for the people of this province that we may come out of this quagmire, although I am not confident of that.

Let me just say that upon being elected, this government did one very important and fundamental thing that has never characterized the way in which it was going to operate. What did they say after the last election? They said: "Lo and behold, we've won. We have a majority. We have a list of promises we made to the public. Now we're going to have to examine those." In all good conscience, people reflect upon what they say and obviously need to realize that over a period of time, because we are facing hard years. A majority government impels or compels a

government to examine its position periodically over and over again. No one would say that should not happen.

But what did these people across the way do? Upon being elected, they said: "Who do we have to look after? The very people who were looking to defeat the previous government are the people we need to help at this time, because they helped us win this election."

That skewed the agenda. That threw them right off the road. Since that time they have never recovered, and I am sorry to say that I do not have confidence this government will recover from that veering off the road. There has been a 13.4% increase in expenditures, and my friends a great deal had to do with the fact that millions upon millions of dollars were spent on their friends—lavishly spent on their friends. There are a lot of friends out there that they had in the last election. Unfortunately for us, the previous government failed to realize that. We made quite a few enemies and they became the NDP's friends. They made them their friends.

In that kernel of truth, what I am saying is that they changed the way in which relationships were going to be conducted around here. People could negotiate and bargain with this government, and as long as it had their support, things would be different.

I am sorry; that was not a very good start. The kind of money that was thrown at those interest groups was phenomenal. We saw a tremendous increase in spending, and to this day we have the remnants of that in a deficit that is going to exceed everyone's expectations.

That is a fearful thing, because we spoke—I know the member for Niagara Falls is very well intentioned and one of the good members of this House and does her work diligently. We served on committee together and I have a great deal of respect for her. I know she means well and I know her intentions are good. I know the things she is concerned about are the very things I am concerned about, but I need to tell them that the crisis in confidence exists because of the very strong signals that were sent out there, because of the fact that the deficit was produced—not just a deficit, but the kind of deficit that was produced, the kind of expenditures that were undertaken, billions of dollars that go to the kind of expenditure which says to people, "We have no confidence in the future, but we're going to look after you today because we simply have no confidence in the ability of you, the public, to reach forward and do your best, not just for yourselves but for your families as well, and into the future."

What we need to see is not the kind of deficits that are run up by this government, which will be run on into perpetuity, for the next four years at least, four years of deficit spending that will have exceeded all that came before it in the previous 126 years of Confederation. That is a disaster. By any standard, that is a disaster.

The fact is that for the first time since 1949, we have seen revenues decline in this province. That is an unmitigated disaster. No one is saying on that score that it is their fault, but what I fear is what the Treasurer has indicated in the past little while, Floyd of Nickel Belt, who thinks he is going to be an auctioneer, who says: "You got a nickel? I'll sell you something worth a dollar." That is the message he

is sending out these days. He is going to sell the assets of this province, and everybody is laughing out there. They are saying, "We're going to have a fire sale. Let's get warmed up and get our money together, because we can go out there and buy the assets of the province for a nickel on the dollar," or some ludicrous amount like that.

It is absurd, at the worst possible time, to suggest they are going to sell off assets. Everyone knows that this is the worst time to sell assets, yet the Treasurer has indicated his intention to pare down the deficit using the province's assets. It is totally ludicrous.

It says that they simply do not understand what is required. What is worse is that they are straitjacketing themselves, because these deficits will produce an inflexibility on the part of the government to finance what is desperately needed, and that is a restructuring of the difficulties we see in our economy today.

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Governments need to react and be flexible. They need to set an agenda that says, "We are not just going to talk the language of co-operation and getting people together." What we need are governments that understand the fundamental relationship between all the partners in our society, to say to people: "We are not just going to say, 'Let's sit down and talk about a partnership.' We're going to actually make you participate in what is happening in this society. We're going to create equality of opportunity because we're going to ask you—not just suggest—we're going to demand that you get involved in what is happening in our society through the real participation of people from all walks of life in our economy, and we're going to do that by developing programs which will foster that kind of co-operation, that kind of participation."

My friends opposite have simply failed to understand that. They have no idea that what is required is the kind of co-operation, the kind of participation which says to small business—and I know the previous speaker talked about the small business committee of parliamentary assistants—

Mr Wiseman: If you had it so right, how come you are over there?

Mr Cordiano: Accidents do happen once in a while.

The Acting Speaker: Order, please. The honourable member for Lawrence has the floor. There are a lot of interjections which really are out of order. Please give him a chance and you will have your moment in the sun to reply to the honourable member.

Mr Cordiano: I would simply say to the member that it takes a lot more, once one is on that side of the House, than he imagines. I think that is the realization he is coming to today.

I was talking, before I was so rudely interrupted, about the small business committee of parliamentary assistants which, I would like to remind members across the way, was started under our administration. My friend and colleague the member for Guelph was at the time the chairman of that committee. He initiated that committee and got it going. We did some good things when we started that committee. We created the new ventures program. Are members listening over there? This was a real initiative by

small business people who were interested in what was happening with small business. We got the new ventures program off the ground. It has been one of the most important and successful programs; a very small program but very important in getting a lot of small business entrepreneurs launched who otherwise would not have had that opportunity.

The new ventures program was the kind of thing members opposite could learn a lesson from. They could do a great deal more for small business with the money that is available, and it does not take a whole lot. They could increase the participation of people who are interested in starting their own small business. They could reach out to small business in a real way and not just an imagined one in the kind of rhetoric we hear from across the way that says, "We want your co-operation." On the one hand they are doing this with small business and on the other they are slapping them silly. The kind of impression people get from this government is, "We want your co-operation" and the Premier goes out and makes speeches, and on the other hand they talk about additional regulation for small business, which is choking them.

We know we are losing potential capital investment from small and medium-sized firms because there is this lack of confidence or a crisis in confidence. I honestly believe it is going to take a great deal of effort on the part of the government to change that. The confidence is simply not there and people are unwilling to invest. I hope that does not last too much longer because it is disastrous for our province and for our economy. The first thing we need to do is to bring back that confidence. If people have confidence in the future, they are willing to invest in plants and equipment which take them into the next five years. They need to have the confidence that this government is genuinely willing to participate with them and to listen to the concerns of the small business community, and all business, for that matter.

We heard comments earlier about restraint and the fact that this government now is talking restraint when a year ago it was not talking restraint at all. It was talking about how we need to do this and how we need to do that, and we saw the result in the last budget—\$10-billion worth of initiative in additional deficit spending. The language of restraint is odd for a government that was basically elected to get things done.

I compare this first year of the government's life with what happened when we were the government for the first time between 1985 and 1986. My friends across the way participated and were supportive of the government of that day. We had an agreement, but we got a number of things done which otherwise would not have been done.

Look back at that time of co-operation. Look back at the kind of efforts that were made during that period of minority government and the kind of co-operative initiatives that were undertaken. There is no comparison with this government, no comparison whatsoever with the amount of legislation that was introduced and the initiatives of that government in minority. The Peterson government between 1985 and 1987 was incredible.

Hon Mr Pouliot: What about after 1987?

Mr Cordiano: Between 1987 and 1990, they still cannot compare to the level of effort and the initiatives we put forward. There is simply no comparison.

Mr Perruzza: You should be ashamed of yourselves.

Mr Cordiano: I was trying to be charitable. I am not going to comment on the lunatic ravings of the members in the back there, in the fourth row, because I do not want to go up to the level of the members on the other side.

Hon Mr Pouliot: He called the members lunatics, sir.

Mr Cordiano: I am being interrupted, Mr Speaker.

The Acting Speaker: Order, please. The Minister of Transportation hears things I did not hear. The honourable member for Lawrence has the floor. He can continue. You will have the opportunity of questioning him as soon as he has completed his remarks.

Mr Cordiano: Mr Speaker, I thought I heard some loud and rather shrill voices in the background and I was turned off in terms of the kind of decorum we have in this House. The fact is I am not used to hearing those outbursts from members in the fourth row.

I just wanted to say, as I was rudely interrupted once again, that this government has basically found itself in a mess. It failed miserably in the first year to get itself going. It had what amounted to a very action-oriented agenda and it has not done a damned thing—very little. A number of major and important initiatives which were promised about in the last election, interestingly enough, were not carried out by the government. I need not go over those initiatives.

We fought three elections on auto insurance. We fought on the basis that they were going to bring in public auto insurance. We disagreed. We thought it was a foolhardy idea. We put that view forward and they won the last election. What do they do? They are sitting on their hands instead of bringing forward the agenda they won an election on. One of the things was auto insurance and they said they would restore the right of people to sue. I do not agree with that, but there were a lot of people out there who did vote for them on that basis.

Mr Perruzza: You should be ashamed of yourself.

Mr Cordiano: The government should be ashamed of itself. It cannot face itself in the mirror, having told a lot of people that it would be elected—and I remember the degrees. I remember quite well the member for Yorkview and the member for Downsview. People talked to me about their comments in the last election at all-candidates debates. It was clearly printed in their election brochures: "We want auto insurance that's government-run because we want the people of the province to have a say in what is going to happen," and on and on, on every one of those issues that they promised. They made huge promises, went around boasting that they were going to do this and that, and they are sitting on their hands.

Mr Perruzza: On a point of order, Mr Speaker: I am not clear on something. Although I wanted to attend, and I am the member for Downsview, I think that the member—

The Acting Speaker: I am sorry, that is not a point of order. You will have two minutes to reply.

Mr Perruzza: Mr Speaker, the member is telling an untruth.

The Acting Speaker: Order. The honourable member for Lawrence has the floor and you do not have a point of order. I am sorry. Please resume your seat. You will have an opportunity later.

Mr Mammoliti: On a point of order, Mr Speaker: The member did mention, however, that we did have all-candidates meetings. I do not recall me going to any all-candidates meetings—

The Acting Speaker: That is not a point of order. All-candidates meetings is not a point of order. If you have some comments—

Mr Mammoliti: The point is, Mr Speaker, that the member mentioned—

The Acting Speaker: Order, please. The member for Yorkview will please resume his seat. You will have two minutes to reply. He can correct his own record and you can correct yours.

Mr Cordiano: I am quite shocked that the member opposite is not clear about very many things. When he says he is not clear on one point, it is quite astounding. If he did not attend any all-candidates meetings, I would say he will be attending quite a few in the next election. I can assure him of that.

Mr Mammoliti: I hope you are there.

Mr Cordiano: I will be there any day, any time. Let me just finish off, Mr Speaker. I know my other colleagues want to have some time to speak. I do not want to take the entire afternoon.

I mention the fact that when this government came in, it was very concerned about consumers. I know this party has a great tradition of protecting consumers, not only on auto insurance but on a number of other matters. To talk about increases in hydro rates of upwards of 44% over the next three years is simply outrageous. There is no concern for those people who are on fixed incomes, who will be hard-pressed to maintain their independence in their own homes when they are going to be hit with rate increases of this kind. The members opposite should think again and think hard, because that is not consumer protection. That is consumer ripoff at its finest.

I am very concerned about that. A great number of my constituents are seniors and simply will be put out of their homes because they cannot afford the rate increases that are being talked about on the other side of the House. It will be an absolute disaster.

In conclusion, the government should reverse itself again. They should understand what they are dealing with and the period of time that they are dealing with it, understand that they need to constantly revise the game plan, because they simply did not have a game plan that made any sense. I can understand having to go back to the game plan and say, "What are we going to do this week?" They should get off that treadmill and determine what they need to do to restructure the economy in this province, because

that is of fundamental importance. If they have not got that in place, they have little else that is going to follow.

They cannot run a province like this if they do not have a game plan that says, "We are going to make the economy our number one priority." They will leave a legacy that is going to be beyond comprehension. It will be a monumental disaster for our children. Now is the time to do it. They are approaching a midterm over the next year. Now is the time to think hard on those difficult decisions they are going to have to make.

They should make the economy the priority and stop thinking about how to redistribute that shrinking pie. They should understand that this pie has to grow and they will have more people involved in that process. By getting more people involved in that process they will have the co-operation and understanding of all of the people of this province, the business community included. Unless the government understands that fundamental principle, it simply will fail miserably.

The Acting Speaker: I thank the honourable member for Lawrence for his participation. Now the time has come for questions or comments.

Mr Tilson: I congratulate the member for Lawrence on his remarks. I think the highlight of his speech here this afternoon was the lack of confidence by members of the public within Ontario and outside of Ontario in the policies of this government. It has to do with investment. We have had investors come to most of our communities and talk about the lack of confidence they have, whether it be the policies on labour, finance, the whole issue of the deficit financing.

I would have thought this government would have looked at the mistakes of the federal government in the 1970s when spending was rampant and the deficit went up and up and up in the federal government. What is the government going to do when a deficit gets so high? Taxes.

People are not making money. People are going bankrupt. Companies are leaving the province. The sources of revenue are drying up. How are they possibly going to pay off this unbelievable deficit they are creating? We look at the newspapers. The financial pages every day tell us what is happening to business in this province.

Business to this government is evil, and I think the sooner it realizes that business can help the people of this province, can help the government of this province run an effective operation, the better. The government should take a look at its policies, review them and be a little more favourable towards the business people of this province.

Mr Perruzza: I would like to respond very briefly to some of the comments that were made by the member for Lawrence. They impact directly on the way government is seen and honesty in government and the confidence that the people have in their government's ability to govern effectively.

When I hear talk about budgets and when I hear talk about deficits, it is interesting to note that when we came to power, this province, instead of being in a surplus situation of some \$28 million or \$29 million, as was pro-

nounced by the then Liberal Treasurer of the province, Nixon, in fact we were in a deficit situation of billions of dollars. The exact number is not quite known, but it ran somewhere between \$2 billion and \$3 billion.

That was a deficit, and the honourable member talked about that. He suggested here today that perhaps he did not believe his own Treasurer when he talked about this province being in a surplus situation. In fact, it was very much in a deficit situation, and those commitments continued until March when the commitments that had been made by the Liberals themselves ran up that debt to somewhere around \$8 billion. The figure is not quite known. But honestly, Mr Speaker, when the member looks over here and says the member for Downsview attended an all-candidates debate, I can say that my Liberal friend, the member I ran against, did not want to attend any candidates debate and talk about the finances of this province before a good people of Downsview.

1730

Mr Cousens: We hear members from the Liberal caucus talking about the New Democrats and really criticizing them for their failures. The member for Lawrence fails to remember the fact that many of the programs that are now being implemented and followed through by the New Democrats really originated with the Liberals and the high-spending habits of David Peterson and that large majority they once had, from 1987 on. They destroyed the level of confidence people had in politicians as a whole. They had a chance to do something for the people of Ontario. They had a time when things were very high and successful in the province, yet when they talk now it is as if they pontificate from a high mountain and have not been there themselves.

Well, they were there. When the Liberals took power they had a chance to do something and show leadership. They did not do it. They came along and increased taxes heavily. Their spending increased as well. They did not put any money away for the rainy day we are having now.

Unfortunately we have something worse on that side of the House with the New Democrats. If there is anyone who knows how to spend money they do not have, it is this group. When we have a deficit that is going to explode far beyond \$9 billion—it is probably going to be \$12 billion or \$13 billion—let's understand that Ontario is living beyond its means. We in our society have to sit down and face up to the fact that we have to say no to certain things and control those spending habits. Maybe the ministers could begin to control the spending on parties and some of the things they are doing, but there are far bigger things they need to do than that. Those are symbolic gestures.

We in this House have a chance to show some leadership to the province on how we can bring the economy back. It is not through the high-spending habits this government has.

Mr Mammoliti: The member for Markham started out okay, but at the end of his speech he screwed things up a bit.

Nevertheless, I am here to respond to the remarks of the member for Lawrence. Frankly I have to congratulate

for his consistency in babbling on as his government for almost six years. He spoke for a lengthy period, perhaps 20 or 25 minutes, and I really do not know what he said. I do not think he said anything.

He stands there and lectures us, this individual who espouses the ideals and concerns that half my constituents represent: the Italian community and what it stands for, its values. He stands here and lectures us, after he has shamelessly—with all of his government actually, not shamelessly—supported the car insurance companies. He stands there and lectures us on car insurance after he has made the rich richer? He stands there and has the audacity to lecture us? I do not know how he stares himself in the face in the morning; I really do not. In terms of 1962, so many Italian people from his riding come to him and ask, "Why did he do this to me?"

He stands there and says I did not go to all-candidates hearings. I do not know where he heard this information. I asked a few of them but the person who was running against me from his party did not have the audacity to say.

I do not know where these lectures come from, but I do think he has the right to do it. I do not think he has the right to stand here and lecture us, no right whatsoever. He should be ashamed of himself.

The Acting Speaker: Thank you very much. This is maximum participation we can have in questions or comments. The honourable member for Lawrence has two minutes to reply.

Mr Cordiano: I will not even attempt to respond to trivial, inconsequential and banal comments made by the speaker immediately before I stood up. I simply want to say to him that whether he attended all-candidates debates or not did not matter; quite frankly, that he won had to do with his presence than he thinks.

In any case, I want to say to my friend the member for Scarborough on the comments he made about deficit spending—that we all have lessons to learn on that, my friends. Each and every one of us has a storied past. Our parties all have deficit spending in their histories of one kind or another, so let's not talk about lectures from one side of the street to the other to the other. Let's simply talk about what the case is today.

We started off, my friends, in this province with a fiscal picture not too long ago—

Mr Perruzza: It was in the red.

Mr Cordiano: My friend the member for Downsview might think otherwise, but the fact of the matter is that they hold the reins of power. The Treasury was theirs and they could have simply reduced what was there by making some changes. The Treasurer decided not to. He decided to listen after his friends who supported him in the election. He decided to write off the SkyDome's debt immediately. Therefore, of course they have a deficit on their hands. The government is making tough decisions and we see the net result of those tough decisions. They would like to deficit-spend to the tune of \$10 billion this year and over the next few years, unprecedented in the history of this province. I say to my friends that no one in the history of this province

has spent as much money in deficits as they are about to over the next four years.

Mr Tilson: It is a pleasure to address the House on the subject of interim supply for the period up until December of this year. My comments, I hope, will be very brief and will deal with three areas, two affecting my riding and one of a more provincial nature, all of which of course affect the spending in this province and the whole operation of the financial position of this province.

As a new member, I discovered section 123 in the rules of this House, which enables each party, once each calendar year, to take a subject and debate it. I suppose the purpose of that is to determine whether situations can be improved, whether an opposition party, for example, can offer constructive criticism to the government to try and persuade it to change the direction in which it is going. There may be other reasons that enable issues to be brought forward in each specific committee. Our party chose the subject of the closing of registry offices and the effect that had on the economy, particularly in the rural areas of this province, and on the efficiency and the cost. The decision had been made with very little consultation by the Ministry of Consumer and Commercial Relations. Our party chose that subject.

Accordingly those proceedings took place in August. Delegations came to the committee and spoke on various subjects. Reeves, mayors, lawyers, surveyors, the president of the Canadian Bar Association and others came to speak on the concern they had with respect to the closing of various registry offices around the province and how it would affect those individual, generally rural communities. We proceeded with that.

Notwithstanding that those hearings were going on, the Ministry of Consumer and Commercial Relations proceeded to close a number of registry offices even while these hearings were going on—even before these hearings were going on. Specifically, Toronto and Arthur—I think there is another one, Bowmanville; I stand to be corrected, but there was a third one—were closed while the hearings were going on, before the committee had an opportunity to express an opinion on the direction in which the ministry was going.

The point I wish to raise is relevant to the whole subject of interim supply because it involves the financial operation of this government, whether it is efficient or not, and the effect on the economy in the various municipalities in which these registry offices occur. Two of the areas, Arthur and Durham, instituted legal proceedings against the government of Ontario, mainly with respect to an injunction, hopefully to obtain a court order forcing the government not to proceed in the direction of closing the Durham and Arthur registry offices. The court proceedings proceeded, I think it was in the first week of October, before weekly court here in Toronto.

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I have made these comments at the standing committee on general government and I made them as a point of personal privilege in this House. The solicitor who acted on behalf of the Ministry of Consumer and Commercial

Relations to object to the application for an injunction, made three comments, which I am going to read again to this House. If these remarks are true—and they appear to be at this point unrefuted. I am pleased the minister is present in the House because I hope she will stand up in her two-minute response to refute the statements that have been made. Now is the opportunity. We asked the government members to have the Minister of Consumer and Commercial Relations attend before the general government committee and, for some unearthly reason, she did not appear. Well, she is here this afternoon and I will be looking forward to hearing her thoughts.

The solicitor made the following comments to the justice who was hearing the application for the injunction proceedings. Unfortunately there is no transcript of these proceedings. These remarks came from notes that were made by individuals who attended the court proceedings. The first of the remarks made by the solicitor was, "The general government committee is of no significance."

I am not a member of the general government committee, but I am my party's critic for the Ministry of Consumer and Commercial Relations. I attended part of those proceedings and it made me wonder, "Why am I attending section 123 hearings when a solicitor, an employee of the Ministry of Consumer and Commercial Relations, says that the general government committee is of no significance?"

It goes beyond section 123. It goes into the other hearings. The general government committee has held public hearings around this province not only on Bill 4 but also on Bill 121. Substantial time has been spent by members of the public to attend these meetings. Substantial time has been spent by members of all sides of this House in attending these public committee hearings. To say that the general government committee is of no significance is an astounding statement for a solicitor acting on behalf of the Ministry of Consumer and Commercial Relations to make.

The second comment that was made was—and again I acknowledge that I read these statements in the House when I raised my point of privilege—"The general government committee is really just a way of creating political heat."

This government has spent a considerable amount of time boasting how it consults around this province, and part of the process presumably is through the committee hearings that go around and talk on all subjects, whether it be Sunday shopping, cross-border shopping, housing, financial—any topic. That presumably is part of the committee process and the consultation process. For a solicitor acting on behalf of the ministry to say that the general government committee is really just a way of creating political heat, I do not understand that. I do not understand how a solicitor acting for the ministry could make such a statement in a court of law.

The third remark made by the solicitor, which is the most astounding of all the statements, is, "The general government committee is composed of six members of the NDP and five from the other two parties, and all the NDP

members could be absolutely counted on to stick to the government's position of closure."

I understand that obviously there is party policy, but hopefully government members who attend these committees are capable of thinking for themselves. They are not trained seals. I know we make the remark in jest—not in jest; in all seriousness on many occasions—that they are trained seals, that they vote the way their masters, the ministers, tell them to vote.

But let us take the issue of the closing of registry offices. Some of the members on the government side have registry offices in their ridings. I think one example is the member for Cambridge. I believe he has a registry office in his riding in which that subject has been raised. Surely if he was sitting on the committee, he might oppose the policy of closing registry offices if it affects his riding and particularly if it affects the economy of his riding. I do not mean to single out that member. In fact, I could be wrong and it may not even be his specific riding, but there are government members who have ridings where registry offices are being closed which directly affect them.

For a solicitor to simply say that all the members of the NDP could be absolutely counted on to stick to the government's position of closure of the registry offices—why are those members even there? Are they not there to stick up for their local constituents? Are the allegations we have been making really true? Are these members really trained seals?

It goes beyond the issue of the closing of registry offices, whether it goes into housing or whether it goes into any other subject that we talk about. Hopefully, the members will be intelligent enough to vote in that specific area. The world is not going to fall apart if they vote against government policy. So why can they not think for themselves? Either that or the solicitor is wrong and these statements were not true. These statements that have been made by the solicitor have yet to be contradicted by the minister.

I found out new things as a new member of this House when I attended before the committee. It was really quite an experience. We had everything thrown at us; we had closure.

Motions were put forward which were quite logical. Were these statements made? If the statements were made, maybe we should have the solicitor come, maybe we should have the minister come. If the minister is busy—and I realize she has a busy schedule—maybe the parliamentary assistant should come. Maybe there is a whole slew of people who could come, and perhaps someone who was present in the court—unfortunately, as I say, there is no transcript—to refute these statements, because it affects not only the members of the opposition but also members of the government. It affects their personal credibility.

I made a motion that these individuals attend before the committee and clarify it, deal with it and remove this cloud that was hanging over the issue of the committee. Not only were we not allowed to debate on that subject, but it was voted down with very little discussion. In other words, the fact that closure was put on us illustrates and says that the third point is correct, and that they are trained seals.

wise, what have they got to lose by allowing us to see that subject? We might even be able to assist them. Whether or not, we might even be able to put forward constructive criticism that could assist them on this subject. The process of dealing with the public, the process of dealing with constructive criticism.

The government is trying to put forward policies. I understand the minister. She stood up in this House and explained her position on the issue of registry offices is that they are trying to save the taxpayer money. We still have to hear figures from her on the subject of what it is going to cost to close those offices, what it is going to cost to consolidate the offices.

The example I have given is the subject of the Guelph registry office. They moved the Arthur registry office to the Guelph registry office. I understand all the Guelph documents, which have not even arrived in Guelph, are going to be kept in the basement of the Guelph registry office. The documents are going to be brought up from the basement by a dumbwaiter and that will mean more staff, more cost and more inefficiency. It will be more inefficient and more time-consuming to search a title for Arthur in Guelph than when the registry office was in Arthur.

I asked about the issue of cost. Are we going to hear in a few years that perhaps we should expand the Guelph registry office or perhaps should build another registry office? On it goes. Of course, then there is the whole story of the Perth-Almonte situation. The flip-flop on that has been debated exhaustively, and that was done without consultation. That change was done without even the members of the committee, the very committee that was studying the issue of the closing of registry offices, being allowed to see it. We were not even informed.

My office, as critic for this particular portfolio, found it in the afternoon of the morning in which the minister was in Perth telling the Perth staff that that registry office was going to be closed. The ministry did not even have the courtesy to call my office, as the critic for that portfolio, to see it.

The whole process I found very strange indeed. I believe that unless the minister and other members of the government stand up and remove this cloud, it is going to clog the entire committee system. If these statements are not refuted and are said not to be true, if the minister is prepared to stand up today and say, "No, those statements weren't made and there wasn't even anything close to that," then there is something wrong with the system. We will have a great deal of difficulty asking members of the public to come and make submissions and presentations to committees.

We will have a great deal of difficulty, I will and the other members will, because members of our ridings who are going to come and make presentations to the government are going to say: "Why should we? If we are against your policy, if we cannot persuade you to change your mind immediately and put forward an amendment"—we have the solicitor for the government saying that all NDP members could be absolutely counted on to stick to the

government's position—"why bother coming to the public hearings?"

There was a motion put forward by the members of the government at the standing committee on general government that essentially boiled down to the fact that the minister investigate herself. That was an astounding position to take, because it was also alleged by the individuals who were present—there was a specific reporter from the *Globe and Mail* who questioned the solicitor who acted on behalf of the ministry about these statements: Did the solicitor have instructions to make these submissions, because solicitors do not make statements or positions of the government without receiving instructions?

It went beyond what the solicitor said. It went to what the minister's position was. Perhaps not the minister, but someone over there in the Ministry of Consumer and Commercial Relations gave the solicitor instructions. At least that is what the solicitor said. I think that needs to be clarified. The Minister of Consumer and Commercial Relations needs to stand and say, "Not only did the solicitor not make them, but I didn't even give instructions for those statements to be made," because otherwise the cloud will continue to rain.

Yes, the minister was asked to investigate herself and she wrote the committee members a very brief letter. I think it consisted of five lines. It essentially said that she reviewed what was said with the solicitor and she simply said—I am paraphrasing what was said; I am sure the minister will produce the letter and I hope she does—that she did not believe the statements were offensive. The fact is the statements were made.

Mr Mammoliti: You woke up.

Mr Tilson: I wish the member would wake up, because for us to participate in committee discussions for the rest of his term—I understand there will be no more surprise summer elections; we will hopefully be holding committee hearings—

Interjection.

Mr Tilson: Should the members of the public, the people of Ontario participate in public hearings or should they not?

I rose in this House on two occasions on a question of personal privilege and the Speaker made his rulings on both of them. They were against my request and I will respectfully accept that. His decision was that the standing committee on general government, if it felt there was some wrongdoing, would make its proper investigation, or it would come back and ask the House to proceed with some sort of investigation.

Unfortunately, the third point made by the solicitor still stands, and that is that the six members of the NDP could be absolutely counted on to stick to the government's position of closure of the registry offices and not to do anything else, any other policy.

If the government members want this to end, then they can vote it out, notwithstanding the fact that this particular topic affects members of the public in their constituencies. I do not know how the members, particularly some of the

rural members of the government, are going to answer to their constituents on the subject of registry office closings.

I can assure the government that any public committee I go on, I am going to refer to these statements until the minister stands up and corrects them, says that these statements were not true, or if they were true that she is going to do something about it. If she made the statements, then we have really got a problem: a minister of the crown saying that the entire standing committee on general government is a sham. Then why meet? It is just really a way of creating political heat.

This is an issue that certainly has given me great concern, being part of that committee process on the two housing bills that have gone around this province. Is it all futile? Is this government really going to listen? Is it really going to accept suggestions that are made from members of the public and members of the opposition?

There is no question there is a lot of bantering that goes on back and forth between all sides of the House, but is this government going to accept constructive criticism even though that constructive criticism goes against its policy? Is the government prepared to do that?

It is approaching 6 o'clock. I would suggest that perhaps we adjourn the debate.

The Acting Speaker: The honourable member does not have to adjourn the debate. He can continue at his leisure.

Mr Tilson: Thank you, Mr Speaker. I can only say that members of my caucus will not let this issue die. It is a subject that gives us all great concern. Although only two members of our party on the average normally attend the general government committee, on this subject there were perhaps four or five members who would attend and they, I believe, expressed their concern individually around the province.

Many of us are affected in different ways: the loss of jobs; the fact that, for example, Durham is going to be coming up shortly. Common sense tells us that when you move a registry office from a community which has had that service for 100 years, take it away completely, take away the jobs—we do not know what it is going to cost; we have had no estimates as to what it is going to cost with respect to the leases that are perhaps going to have to be written off, or the added costs of consolidating it; for example, when Durham is moved to Owen Sound, what jobs will be lost? When the answer is, "Oh well, the people in Durham can drive to Owen Sound to work," they are going to find that rather unsatisfactory.

Aside from the issue of the cost to the general public, submissions were made at public hearings as to what it is going to cost members of the public, the whole cost of searching titles, the whole cost of preparation of surveys. Aside from the possibilities of greater mistakes being made, some of the communities have individual title problems which just affect that particular community and quite often solicitors are most familiar with those specific areas. Yet this government is going to take that out and move it to another area where solicitors will be dealing with a subject that they may not be that familiar with; it may take some time.

There is the whole cost of renovations. We have repeatedly asked what the cost will be to renovate these other registry offices.

The Acting Speaker: The honourable member may continue his participation in the debate when inter-supply is next debated.

The House adjourned at 1800.

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topherson, David (Hamilton Centre/-Centre ND)
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Jordan, W. Leo (Lanark-Renfrew PC)
- Klopp, Paul (Huron ND) PA to Minister of Agriculture and Food (food)/Ap du ministre de l'Agriculture et de l'Alimentation (alimentation)
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McGuinty, Dalton J.P. (Ottawa South/-Sud L)
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Miclash, Frank (Kenora L) opposition chief whip/Whip en chef de l'opposition
Mills, Gord (Durham East/-Est ND) PA to Solicitor General/Ap du Solliciteur général
Morin, Gilles E. (Carleton East/-Est L) Deputy Speaker and Chair of the Committee of the Whole House/Vice-Président et Président du Comité plénier de l'Assemblée législative
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Murdock, Sharon (Sudbury ND) PA to Minister of Labour/Ap du ministre du Travail
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- O'Connor, Lawrence (Durham-York ND) PA to minister responsible for the greater Toronto area/Ap de la ministre responsable du Bureau de la région du grand Toronto
Offer, Steven (Mississauga North/-Nord L)
O'Neil, Hugh P. (Quinte L)
O'Neill, Yvonne (Ottawa-Rideau L) opposition deputy whip/Whip adjointe de l'opposition
Owens, Stephen (Scarborough Centre/-Centre ND) PA to Minister of Financial Institutions, government whip/Ap du ministre des Institutions financières, whip du gouvernement
- Perruzza, Anthony (Downsview ND) PA to Minister for Skills Development/Ap du ministre de la Formation professionnelle
Philip, Hon/L'hon Ed (Etobicoke-Rexdale ND) Minister of Industry, Trade and Technology/Ministre de l'Industrie, du Commerce et de la Technologie

ips, Gerry (Scarborough-Agincourt L)
ey, Hon/L'hon Allan (Oshawa ND) Solicitor General,
 Minister of Correctional Services/Solliciteur général,
 ministre des Services correctionnels
er, Jean (Prescott and Russell/Prescott et Russell L)
e, Dianne (Eglinton L) Vice-Chair, standing committee on
 public accounts/Vice-Présidente du comité permanent des
 comptes publics
iot, Hon/L'hon Gilles (Lake Nipigon/Lac-Nipigon ND)
 Minister of Transportation, minister responsible for
 francophone affairs/Ministre du Transport, ministre
 délégué aux Affaires francophones
Hon/L'hon Bob (York South/-Sud ND) Premier,
 Minister of Intergovernmental Affairs/Premier ministre,
 ministre des Affaires intergouvernementales
say, David (Timiskaming L)
o, Tony (Oakwood IND)
ciman, Robert W. (Leeds-Grenville PC) Chair, standing
 committee on government agencies/Président du Comité
 permanent des organismes gouvernementaux
recht, Tony (Parkdale L)
t, Ian G. (St. George-St. David L)
o, Hon/L'hon Tony (Dovercourt ND) Chairman of the
 Management Board of Cabinet, Minister of
 Education/Président du Conseil de gestion du
 gouvernement, ministre de l'Éducation
, John (Mississauga East/-Est L)
ara, Gregory S. (York Centre/-Centre L)
ling, Norman W. (Carleton PC)
ckwell, Chris (Etobicoke West/-Ouest PC)
ivan, Barbara (Halton Centre/-Centre L)
erland, Kimble (Oxford ND) PA to Chairman of the
 Management Board of Cabinet; Vice-Chair, standing
 committee on finance and economic affairs/Ap du
 président du Conseil de gestion du gouvernement,
 vice-président du Comité permanent des finances et des
 affaires économiques
rbrick, Anne (Scarborough West/-Ouest ND)
on, David (Dufferin-Peel PC)
bull, David (York Mills PC)
eneuve, Noble (S-D-G & East Grenville/S.-D.-G. &
 Grenville-Est PC) Second Deputy Chair of the Committee
 of the Whole House/Deuxième vice-président du Comité
 plénier de l'Assemblée législative
d, Brad (Brantford ND) PA to Minister of Industry, Trade
 and Technology with responsibility for trade and technology/
 Ap du ministre de l'Industrie, du Commerce et de la
 Technologie et délégué au Commerce et à la Technologie

Ward, Margery (Don Mills ND) PA to Minister of Government
 Services/Ap du ministre des Services gouvernementaux
Wark-Martyn, Hon/L'hon Shelley (Port Arthur ND) Minister
 of Revenue/Ministre du Revenu
Warner, Hon/L'hon David (Scarborough-Ellesmere ND)
 Speaker; Co-Chair, special committee on the
 parliamentary precinct/Président, coprésident du Comité
 extraordinaire de l'enceinte parlementaire
Waters, Daniel (Muskoka-Georgian Bay/Muskoka-Baie-
 Georgienne ND) PA to Minister of Tourism and Recreation;
 Vice-Chair, standing committee on resources development/
 Ap du ministre du Tourisme et des Loisirs, vice-président
 du Comité permanent du développement des ressources
Wessinger, Paul (Simcoe Centre/-Centre ND) PA to Minister
 of Health/Ap de la ministre de la Santé
White, Drummond (Durham Centre/-Centre ND) Chair,
 standing committee on regulations and private bills/
 Président du Comité permanent des règlements et projets
 de loi privés
Wildman, Hon/L'hon Bud (Algoma ND) Minister of Natural
 Resources, minister responsible for native affairs/Ministre
 des Ressources naturelles, ministre délégué aux Affaires
 autochtones
Wilson, Hon/L'hon Fred (Frontenac-Addington ND) Minister
 of Government Services/Ministre des Services
 gouvernementaux
Wilson, Gary (Kingston and The Islands/Kingston et Les Îles ND)
 PA to Minister of Culture and Communications/
 Ap de la ministre de la Culture et des Communications
Wilson, Jim (Simcoe West/-Ouest PC)
Winninger, David (London South/-Sud ND) PA to Attorney
 General, PA to minister responsible for native affairs/Ap
 du Procureur général, ap du ministre délégué aux Affaires
 autochtones
Wiseman, Jim (Durham West/Durham-Ouest ND) PA to
 Minister of Correctional Services/Ap du ministre des
 Services correctionnels
Witmer, Elizabeth (Waterloo North/-Nord PC)
Wood, Len (Cochrane North/-Nord ND) PA to Minister of
 Natural Resources/Ap du ministre des Ressources naturelles
Ziemba, Hon/L'hon Elaine (High Park-Swansea ND)
 Minister of Citizenship, minister responsible for human
 rights, disability issues, seniors' issues and race
 relations/Ministre des Affaires civiques, déléguée aux
 Droits de la personne, aux Affaires des personnes
 handicapées, aux Affaires des personnes âgées et aux
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Co-Chair/Coprésident: Noel Duignan

Members/Membres: Dianne Cunningham, Remo Mancini, Kimble Sutherland

Clerk/Greffier: Smirle Forsyth

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1st Session, 35th Parliament

Official Report of Debates (Hansard)

Tuesday 29 October 1991

Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le mardi 29 octobre 1991



Speaker
Honourable David Warner

Mark
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Numbering of Hansard

Effective with the opening of the Second Session of the 35th Parliament, Hansard issues and pages will once again be numbered on a sessional basis. Hansard numbering therefore will become consistent with Orders and Notices and Votes and Proceedings, and with other parliamentary publications throughout Canada.

For the last two years Hansard has been numbered according to the calendar year. Under this system, the numbering of issues and pages was restarted with the first issue in the calendar year, regardless of session or Parliament.

Under the new system, the sequence of numbering started in January 1991 will end with the final House and committee sittings of the present First Session. A new sequence will begin on the opening day of the Second Session, and each succeeding session, which will be issue 1 and begin with page 1. Committee reports likewise will be numbered from the first sitting of each committee in a parliamentary session.

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Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 325-7400.

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Depuis deux ans, le Journal des débats était numéroté par année civile. Avec ce système, la numérotation des numéros et des pages recommençait au premier numéro de l'année civile, quelle que soit la session ou la législature.

Avec le nouveau système, la numérotation commencée en janvier 1991 s'arrêtera à la dernière séance de la Chambre et des comités de l'actuelle première session. Une nouvelle série commencera le jour de l'ouverture de la deuxième session et des sessions suivantes : numéro 1, page 1. Les rapports des comités seront également numérotés à partir de la première séance de chaque comité pour une session parlementaire donnée.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 29 October 1991

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

ANNIVERSARY OF LEGION

Mr Offer: I rise today to honour the 40th anniversary of the Malton Legion, which the Legion has recently celebrated. There was a week of fun, festivity, celebration and events, all culminating in a very special evening dinner and dance. At that time the Fitzpatrick award was presented to Sharon Chamberlain as the member who has done most for the veterans in 1991. Phil McCall was presented the associates award for doing most for the branch. The membership awards were presented to Les Taylor, Ron Potts, John Thompson and Reginald Fecteau for outstanding service to veterans. Past presidents of the branch and the ladies' auxiliary were also recognized, in addition members receiving the certificate of merit.

The Malton Legion has for many years been an important aspect and element of the Malton community. The Legion is not just the place where Remembrance Day events take place. That is important, but it is important to remember those who have made the ultimate sacrifice for the freedom we share today, for the rights we have and for the institutions embraced in a freedom that is the envy of the world.

But a Legion is not just that, and the Malton Legion is not just that. It is a group of people working 365 days a year raising dollars for a myriad of needed services. In our area, our Legion has purchased vans for the transportation of victims of cancer and cancer patients and cares for and helps others who need help. That is what the Legion is and continues to be. Congratulations to president William Hill and everyone for their most caring service to the community.

MINISTRY OF HOUSING MAILING

Mr Arnott: I have a constructive and helpful suggestion for this government of ours. I make an effort to keep my office expenses as low as possible because I know it is taxpayers' money I am spending. I have asked my staff to do the same, to keep our spending of taxpayers' money as low as possible as we work to represent the people of Wellington. I want to call upon the government to do the same, especially the Minister of Housing.

Recently the Ministry of Housing sent a seven-page memo to all Ontario Building Code holders, about 2,300 businesses in all. A copy was sent to Gerald Boyes, who is a plumbing contractor in Orton in my riding, in a heavy insulated envelope which itself costs about 30 cents and \$.25 to mail. In my office we send seven-page documents in a standard envelope. They cost about two cents each instead of 30 cents and 63 cents to mail instead of \$1.25. If the minister had instructed her officials to be truly conscious of cost, this mailing could have been done with a standard envelope at a cost to taxpayers of less than 50%.

The ministry wasted, by my calculation, \$2,064 on this single mailing.

This is not good enough for Gerald Boyes and it is not good enough for me. Surely when the people of Ontario are being asked to tighten their belts, we must expect the government to show leadership first.

SCARBOROUGH HOUSING EDUCATION FOR NEWCOMERS COMMITTEE

Mr Owens: Today I rise to acknowledge the work of the Scarborough Housing Education for Newcomers Committee. During the last six months many agencies have come together to develop a strategy to combat racism in housing. As a coalition of housing, legal and multicultural groups who work directly with newcomers, the committee has identified a lack of resources available to these individuals in their primary languages. One of the greatest concerns of newcomers and many other residents in the city of Scarborough is to find affordable housing that has a community environment contained within.

Tomorrow, Wednesday, October 30, the Scarborough Housing Education for Newcomers Committee will be holding its first educational seminar for the Latin American community. The purpose of this forum is to educate newcomers about their rights and opportunities as residents of Ontario and to provide information about the available housing options.

The work of many people contributes to the success of an event such as this. Through the efforts of Bruce MacDougall and the executive of the Scarborough housing education committee, newcomers to Scarborough will be given the information necessary to become active participants in society and to find dignified and affordable housing within the community.

It is through the dedication and spirit of groups such as this that a vision of a healthy and caring community is promoted while attempting to undermine the racism which unfortunately still exists within this province.

CARLETON UNIVERSITY

Mr McGuinty: An institution of tremendous value to my riding, Carleton University, has recently come under fire. I want to put forward some facts about Carleton to illustrate just how valuable it is, not only to Ottawa-Carleton but also in the contribution it makes to the process of higher learning in Canada.

Carleton University had an extraordinary beginning. Without the usual support of church affiliation or provincial charter, it was formed solely in response to a need from the community and without the endowments and financial backing enjoyed by other Canadian universities.

Over the years Carleton has cultivated some key strengths. It boasts outstanding public administration and political science departments in its faculty of social science. Its school of journalism is recognized as one of the best in Canada. The Gerhard Herzberg centre for particle

physics is only a sample of its excellence in scientific research. Carleton has an aerospace engineering program which is the envy of other Canadian universities.

Some of Carleton's distinguished alumni include Conrad Black, Angus Reid, Robin MacNeil of the MacNeil/Lehrer Newshour, Eric Malling, Senator Joyce Fairbairn and our own Minister of Housing, the member for Ottawa Centre.

Carleton's contribution to my community happily extends even beyond the classroom. This fall, Carleton's students raised more than \$50,000 for cystic fibrosis research. In addition, Carleton's faculty operates a speakers' bureau through which faculty members volunteer their time to speak to community groups and schools.

Able headed by its president, Dr Robin Farquhar, Carleton has reached an attractive stage in its development. At 50 years of age, Carleton is old enough to have some valued traditions and young enough to be vigorously entrepreneurial.

I am certain that members of this House join me in recognizing the outstanding contribution Carleton University continues to make to higher learning in Canada.

1340

AWARDS FOR TRAINING EXCELLENCE

Mr B. Murdoch: I am proud to advise the House that today three companies in my riding will be receiving awards for training excellence at a Celebration of Success at Georgian College in Barrie.

The awards are made possible through a partnership formed by community colleges, the Ministry of Skills Development and the private sector. This is the third year of recognition being given to employers across the province who make a deep commitment to developing training programs for their staff.

One winner from Grey is RBW Graphics, a full-service commercial printing company in Owen Sound which employs 600 people and handles more than \$70 million in annual sales in Canada and the United States.

Another is Electrical Contract Ltd, also of Owen Sound. This company is one of the few leaders in the manufacturing of precious metal electrical contracts in North America and the only one which produces a full range of these products.

In-Focus Studio is a small, family-run picture studio in Durham employing full-time photographers and in-store staff.

All three employers, large and small, have demonstrated that they believe that increased productivity, improved employee morale and reduced customer concern can be achieved through comprehensive training plans which address the particular weaknesses in their own operation.

In spite of the difficult economic times, these businesses have invested in the human resources of our province. I would like to thank them and send them my heartiest congratulations.

VOLUNTEERS

Mr Wood: Volunteers are a fundamental component of every community. This is no different in Cochrane

North, where there are many small communities where people are in need of help from others.

In my home town of Kapuskasing, we have a unique situation, a well-respected person by the name of Hubert Thiffeault. He has spent 60 years of his life as a volunteer firefighter and is still part of the team. Although 78, he continues to spend his free time assisting the community in various helpful ways. I believe there is no other person in Ontario with this record of achievement as an energetic volunteer firefighter.

I want to mention this today so that the people of Ontario will be well aware of his achievement. I cannot imagine what kind of patience must have been endured by his family being awakened in the middle of the night by these emergency calls. Some of these calls involved many life-threatening situations.

My congratulations go out to Hubert Thiffeault and his family for his 60 years of service, and I wish him many more years of active duty at the Kapuskasing firehall. On the same token, I would like to express my admiration to all the people of Ontario who give their time every day to help other people in the communities where we live.

CLOSING OF BEER STORES

Mr Mahoney: As members know, there are many beer stores closing, vacant stores all around the province. The government sits and does nothing while Brewers' Retail adds to these closures by rather unceremoniously announcing the closing of 31 stores. In fact, in Niagara-on-the-Lake there will no longer be a store available for the consumer; they have just shut it down.

In Toronto an interesting sign in one of the windows of a closed Brewers' Retail store reads: "Regretfully, this store will no longer be open for business. The management and staff thank you for your loyal patronage." That is a awfully nice way to express a thank you, by simply closing down that community store.

Perhaps on the highway as we enter into the province of Ontario the government will put up a sign that says "This province is closed for business and the NDP would like to thank you for your patronage in the past."

This is clearly the thin edge of the wedge. This is clearly an example of this government fiddling and doing nothing but simply sit back and allow cross-border shopping to ravage an industry. It is affecting 300 jobs immediately. Ernie Reed, president of Local 326 of the United Food and Commercial Workers International Union, says he is worried that all outlets will get the axe once the beer industry is thrown wide open in 1992 and United States companies will have the same access to local markets.

Ernie is upset, the NDP does nothing and the stores continue to close as we slowly and painfully go out of business.

EXOTIC SPECIES

Mr McLean: My statement is for the Minister of Natural Resources. He will no doubt recall that the standing committee on resources development held public hearing during the week of January 28, 1991, to explore the implications of invasions of exotic animal and plant species

as the zebra mussel and purple loosestrife, for Ontario's ecosystems and natural resource base.

A number of scientific experts, resource users and interest groups presented their viewpoints and made written submissions to the committee. When presenting this report to the Legislature on May 29, 1991, the member for Welland-Thorold said, "I also have great anticipation that the government will pay attention to the report and that the Minister of Natural Resources will review its recommendations and give effect to these recommendations, they are sound."

I agree with the member for Welland-Thorold. The 30 recommendations contained in the report are sound. They are also critical if we are to develop strategies and policy alternatives aimed at controlling and preventing the spread of zebra mussels and purple loosestrife in this province.

The minister has had the report in his possession since May 29 and he has not announced the implementation of any of the 30 recommendations. I suspect his plan is to sit on it, the same as he has sat on the Algonquin Provincial Park management plan. I hope he does not. I hope he implements them.

The minister has studied this issue to death. The time will come for him to take action and put the threat of the spread of zebra mussels and purple loosestrife to death.

CONSTITUTIONAL REFORM

Mr Drainville: I would like to take this opportunity, in the spirit of non-partisanship, to mention last night's meeting here in this chamber between the federal special committee on a renewed Canada, that is, the House of Commons and Senate committee, and the select committee on Ontario in Confederation.

This was a very important meeting because it afforded an opportunity to speak about those issues that are very important to the future of this country. It was a wide-ranging discussion and I think at the end of it we felt we had an opportunity to listen very carefully to people who represented interests from across the country.

Also, I want to give thanks to this House, to you, Mr Speaker, to the Sergeant at Arms, the House leaders, the dining room staff, parliamentary broadcasting, security and the cleaning staff, all of whom had to work overtime to ensure the very important meeting that happened here in this chamber took place.

I am very proud to be a member of this House and proud also to work with a number of people from all sides of the House who are dealing with this very important issue about the future of a dynamic Canada.

CARLETON UNIVERSITY

Mr McGuinty: On a point of order, Mr Speaker: Earlier I referred to some of the illustrious and distinguished alumni from Carleton University. On the basis of information I have just received, I would like to add two more names. Those names are your own and that of the Minister of Natural Resources, the member for Algoma, also distinguished graduates of that university.

The Speaker: As far as the Speaker is concerned, I am not sure about the "distinguished," but I certainly appreciate your kind comments in correcting the record.

VISITOR

The Speaker: Members may wish to welcome to the chamber this afternoon a former member of the House from Windsor-Riverside seated in the members' gallery east, Mr Fred Burr.

1350

STATEMENTS BY THE MINISTRY

WABASEEMOONG FIRST NATION

Hon Mr Wildman: I rise today to make an announcement concerning a new chapter in the history of Ontario's relationship with the Wabaseemoong First Nation of north-western Ontario. This first nation was formerly known as the Islington First Nation of Whitedog.

Before I begin, I would like to welcome to our chamber some distinguished guests from the first nation community at Whitedog who are in the gallery today: Chief Roy McDonald, John Paishk, Councillor Issac Mandamin and Councillor Marvin MacDonald.

A short time ago, Chief Roy McDonald of the first nation and I signed a memorandum of understanding which will set the stage for the negotiation of a co-management agreement for the first nation's traditional land use area. The areas to be negotiated will include natural resources, land use and economic issues important to the future health and self-sufficiency of the Wabaseemoong people.

The memorandum and the agreement we will negotiate are an example of the Ontario government's commitment to the first nations. Ultimately we hope to see first nations with a role in management over land and natural resources and a greater say in their own destiny.

The recent history of the people of this community has been difficult. In the late 1950s, flooding caused by hydro dam construction forced the relocation of the reserve community of One Man Lake and resulted in the serious and widespread destruction of the people's traditional homelands and way of life. Chief McDonald himself had to move as result of the flooding. In the 1970s, mercury pollution poisoned the traditional fishing areas of the Islington people and led to further social and economic hardship and disruption. The combined impact of these events has been immense. The Wabaseemoong people have experienced profound disruptions in their livelihoods and traditional way of life.

The memorandum of understanding builds on the comprehensive agreement signed in 1983 with the first nation. The 1983 agreement was intended to deal with many of the concerns of the Wabaseemoong people, but some of the terms of the agreement were unfilled. We are committed to fulfilling them so that the Wabaseemoong people can move forward.

The first step will be the establishment of a core negotiating committee composed of two representatives from the province, three representatives from the first nation,

one member of the community at large and an independent chair who will be appointed by the committee.

The resource advisory committee will lead and co-ordinate the overall negotiations. Specific issues will be addressed by four subcommittees or working groups. They will concentrate on major issues such as traditional land use and natural resources, hydro development, economic development and social services.

The resource advisory committee will have the responsibility to ensure that the first nation and the surrounding community are kept informed of the progress of the negotiations and the issues being discussed. This will include consultation and information-sharing with all the key groups that have an interest in the negotiations.

The memorandum by itself will not bring an abrupt end to the problems facing the families and members of the Wabaseemoong First Nation. It is a promise that gives hope of resolution of those issues. I believe these actions represent an opportunity to achieve meaningful results that will benefit everyone living in the community and in the region of Kenora. This is a great opportunity, and I look forward to working with the first nation on behalf of the people of Ontario and the people of Kenora so we can live and develop together in harmony.

RESPONSES

WABASEEMOONG FIRST NATION

Mrs McLeod: On behalf of our caucus, I welcome the fact that this statement has been made in the Legislature so we can all be aware of the initiatives the government is taking in this area. I am well aware there is another statement being made in a similar geographic area of the province, which we are anxious to hear details of at some later point.

I welcome the announcement the minister has made today and welcome the presence of members of the Wabaseemoong First Nation here today. I know this is an achievement for them as well, because it represents very diligent efforts over many years to pursue the concerns of the members of the band. I personally congratulate them for having brought it to this state today and wish them well in the progress in the negotiations to come.

Quite clearly, as one of the ones who was party to the negotiations for the first co-management stewardship agreement in the province with the Teme-Augama Anishnabai band, and a signatory to that agreement, I concur that there is merit in pursuing co-management agreements with our first nations people. I believed at that time this was a precedent that could be carried forward in other areas of the province with other first nations, and I continue to believe this is the case.

I would also like to recognize that the background to this particular set of negotiations has already been done in many ways, because there has been a number of areas in which an effort has been made to involve the members of this first nation band in very directly affecting their economic situation and directing their social services as well.

The minister, in his background material, has given some indication of the achievements that have already been made. There have been very many practical initiatives that have

been successfully undertaken by the members of this band and those kinds of practical initiatives really must be continued, because that is the route to independence for the first nations people.

I would also recognize and respect the commitment this minister has made to making progress on long-standing issues with the first nations people. Because we share his commitment and want to encourage that progress to result in real achievements, I would like to raise three specific concerns.

The first concern I have with the press release that has been made today is that there is not really the recognition that these are very sensitive negotiations for the first nations people and also for other, non-native people living in the area. I look forward to some indication of what the composition of the working groups will be and exactly how that involvement of others who live in the area and share a concern for the land resource and its use will take place.

The second concern I would raise is to recognize that the minister has now undertaken a number of negotiations with first nations people in different areas of the province. He is quite well aware that these are very complex negotiations and require a great deal of time and human resources to be able to carry the negotiations to completion.

I trust the minister recognizes the sheer complexity of the negotiations he is undertaking and is prepared to put in place the resources that are needed to carry the negotiations through. I think it would be extremely unfortunate if this government were to raise the expectations of the first nations people that there will be negotiations under way only to find that the resources are not there to lead to anything other than frustration and the inability to achieve the goals.

The third concern I would raise is the question of whether or not there is a clear pattern for the best approach to carrying out negotiations with the first nations. Let's recognize that in the Treaty 9 area, which is immediately adjacent to the Treaty 3 area with which this negotiation will be carried out, negotiations are being carried out with the treaty council. I know that in turn is creating some questions that the first nations people are working through in terms of the relationship of the band councils with the treaty council as these negotiations proceed.

It would seem to me that in this case the decision has been made to negotiate not with the treaty council but with the individual band. It may be possible that in some cases this is the best way to carry out the negotiations. In other cases it is better to go ahead with the treaty council. But it would raise the question of whether there is a pattern and whether this issue has been given very careful thought because, again, I think we have to respect the sensitivity of the political and working relationships of the first nations themselves.

Having raised those three specific concerns, I would again like to congratulate both the first nations band and the government for taking their discussions to this next stage, and sincerely wish them good luck and good progress in the negotiations that are to come.

since I have some 20 seconds left of the time our us has, I would just like to recognize a somewhat ed issue, the fact that this minister has been meeting in apacity as Minister of Natural Resources with repre- tives of the forest industry. I have expressed some ern that it has taken so long to meet directly with sentatives of a sector which has been so severely sed. We are anxious to hear what plans may come those meetings to deal with the problems of this par- ar sector, a concern for the members of this first nation p as well as for all northern communities.

Mr Eves: I am pleased to respond on behalf of our y to the statement made by the Minister of Natural ources and minister responsible for native affairs in the se this afternoon.

We too acknowledge the hardships that have been d by this particular band. Going back over recent his- as the minister's statement outlines, we think of the s, 1970s, 1980s, and now of course we are into the s. They have faced many hardships, including loss of supply and loss of their economic base. I think it is important that their concerns, issues and problems are essed in this appropriate manner.

might also say that I understand it was the band's ession to include a representative of the community the public at large on this resource advisory commit- Perhaps there is some education in here for the minis- himself, because it seems to me that the band has eloped a better communication process than the minis- as been showing. That is sort of a backhanded compli- t, I guess. I think it is important that the band gnizes the fact that indeed the community at large has e considered as part of the advisory group if we are g to effectively and meaningfully address the concerns is particular band that need to be addressed.

I also would like to thank the minister for the unique roach he has taken with respect to the memorandum of nderstanding and the resource advisory committee and subcommittees he has set up under the auspices of his istry. I think that needs to be said.

Having dealt with the minister responsible for native airs, I was quite startled that the Minister of Northern elopment did not rise today in the Legislature to an- nounce her new strategic consultation and action now h program, which I understand she announced by way press conference yesterday. As usual, despite the pro- ations and promises of the government House leader these things would not be done by way of press re- e and press conference any more and would be done ministerial statement in the House, I note once again has not been done with a very important announce- at with respect to northern Ontario.

SALARY OF ONTARIO HYDRO CHAIRMAN

Mr Harris: On a point of privilege, Mr Speaker: I ight I would take this particular time to raise a point of ilege concerning a matter that was raised in ministerial ements when I was away.

The Minister of Energy is not here today and I do not like raising this when he is not here, but since he im- pugned statements attributed to me when I was not here, I do not feel so difficult about it at all. This is my first opportunity to bring it forward for the record.

Interjections.

The Speaker: Order. This is a response. I am sorry, but the response time is for responses to statements made today.

Mr Harris: That is why I said this is a point of privilege. I thought this was a good time to rise on a point of privilege rather than during question period or taking other time.

The Speaker: As a point of privilege, all right.

Mr Harris: On Thursday, the Minister of Energy said this: "Further, I want to say to the leader of the third party"—he also referred to the member for Renfrew North, but he can speak for himself—"that the allegations they made in this House about Mr Eliesen's character...were completely incorrect."

I was not here when the Minister of Energy made this statement, but I have checked very carefully my record in the House on Hansard and any reports outside the House and not once have I found any reference to my talking, as leader of the third party, about Mr Eliesen's character.

I talked about what others said of his ability to perform the job. I am appalled that the government thinks it is good policy to double his salary to \$260,000 when most experts know that he is not qualified to do the job, but not once have I ever talked about Mr Eliesen's character. I know nothing of his character.

I assume the best about one's character and I resent the minister asking me to retract something that apparently he says I said somewhere. I challenge him to come forward with any statement where I have made reference to Mr Eliesen's character. I plead guilty to referring to opinions of experts that he is unqualified to have his salary doubled to \$260,000, but not to character references.

The Speaker: To the leader of the third party, I appreciate the point of privilege which he raised. Unfortunately, he was not present in the chamber at the time the minister made the remarks and the minister is not present at the time of his first available opportunity to respond. It places the Speaker in a very awkward position since it appears to be a difference of opinion with respect to a situation which arose in the House. However I will certainly be pleased to take a look at the comments and to report to the leader of the third party later, and indeed perhaps the minister, upon his first opportunity, will be able to respond to him.

Mr Elston: Perhaps the Speaker could ask the minis- ter and the leader of the third party to come to his office and he can straighten this out between them, if that would be a good suggestion.

ORAL QUESTIONS

HOSPITAL FINANCING

Mr Elston: I have a question for the Minister of Health. Last week the Toronto Hospital announced the

layoff of some 250 people, including the equivalent of 140 full-time nurse layoffs. Since October 1, some 217 bed closures have been announced. Layoffs are the result of "ministry underfunding for the ONA settlement and the pay equity announcement." This is attributed to Dr Hudson from the Toronto Hospital.

When the jobs are cut, patients have to pay the price. Why are nurses being laid off to pay for their settlement, and why is the minister putting mainly these women out of work during this time of recession in this province?

Hon Ms Lankin: I think the issue of hospital care across this province is an important one for us all to address. I have been spending a lot of time meeting with district health councils and hospitals across the province. In fact, there are many communities that have taken on the task of co-operative planning with respect to the appropriate level of services.

One of the things we have to be very careful of is not to pose the issue in such a way as to say that good health care equates to the number of hospital beds in a community. The kind of illness treatment system we have is one of the important factors that we have to look at. But many blue ribbon committees, Premier's health councils, district health councils and local community health clinics have said that where we need to invest our money is in the other determinants of health, those things that lie outside the traditional illness treatment system.

One of things we have to look at is how we are spending our money currently and whether it is appropriate. There are certainly estimations that there are too many acute care beds in the system. Here in Metropolitan Toronto that case has been raised. I have asked that those people who have that opinion sit down with the hospital and start to work this through, and I think we have to do this in a rational, managed way.

The Speaker: Could the minister conclude her response, please?

Hon Ms Lankin: Certainly, Mr Speaker.

I do not think that responding in a sense of panic before we have all the plans finalized is helpful, although I do think we have to work together to make sure the plan is a rational one.

Mr Elston: This is an interesting response from a representative of a party that has always prided itself on universality in providing health care to the needy patients in the province. It surprises me that this person would be in the minister's chair at a time when health care comes under a very adverse set of rationing criteria. She has been chopping hospital services at a time when people are seeing the need for those services more than ever and, at the same time, she has failed to bring in any statement about the types of standards which are required to provide the care for the people in this province. Can the minister tell us what the standards are and what alternative ways she has put in place to accommodate the decrease in service that is represented by the cutback in beds?

Hon Ms Lankin: The problem I have with the member opposite is that his question is unrelated to the long preamble. I am going to take a moment to address the

preamble first because I think, quite frankly, we need to be careful in terms of what is being said across the province.

We have not cut back on hospital funding; 9.5% has been transferred this year. It is over \$600 million.

With respect to services in hospitals, we are asking local district health councils and hospitals across regional jurisdictions to sit down and to plan for the necessary level of services. I am being told by the Hospital Council of Metropolitan Toronto and by the district health council that there are too many acute care beds in the system. I do not think it should all come out of one hospital. I think we need to look at a co-operative planning process to manage that out.

The shift to community is equally important. The member opposite knows that we are committed to that kind of reform.

Mr Speaker, I see that you want me to wrap up the answer, but as the Leader of the Opposition raises a number of issues, they deserve a response. With respect to the issue of rationing and medicare, I think what we are doing is trying to save medicare in this province and in the country. There is the issue of where we head from here in terms of planning and community support, and I was pleased to speak more on that in the supplemental question.

Mr Elston: That is really outrageous. The minister expects the people of the province to believe that there are no cutbacks happening in hospitals across this province when we have seen women and men in front of the Legislature just yesterday indicating that they had lost their jobs. They are not providing service in this province, and the minister stands there and says there is no loss of service. The minister is becoming another one of those storytellers, a little like the member for Nickel Belt. Who in the world is going to believe her?

Why does she not really admit to us that the only thing she is currently doing in health care is slashing services to protect the ministry's budget and the Treasurer's budget? Otherwise, we would have had a rational plan before the cuts all occurred, we would have had a set of criteria and we would have seen the minister's long-term care plan. Why does she not admit it? The minister is slashing first and praying that something negative does not happen.

1410

Hon Ms Lankin: I disagree with absolutely everything the member just said. I have a few more comments that I will make directly to him, but given that I know he has three more questions coming up, maybe I will save them until towards the end.

In terms of who says what in this Legislature and the record on these issues, I think it is important that we review this.

On the question of jobs, at the hospital specifically mentioned, at this point in time the layoffs are being predicted. I have directed that the hospital sit down with the Hospital Council of Metropolitan Toronto and with the district health council and look at the effective delivery of services. I have directed that the hospital meet with the employees. The employees, for example, have made some

serious allegations. I have asked the chief executive officer of that hospital to respond directly to those allegations. We are not just slashing. We are not just not putting a program in place.

Additionally, we are meeting with a joint management committee, with the Ontario Hospital Association and with a broader hospital funding review program. We have involved all the key partners in that discussion. The OHA and others know that we are trying to do this in a rational manner. May I say that we have had a number of years in which the rhetoric of reform has been strong. We are trying to make it happen in tough fiscal times.

Mr Elston: I cannot believe that. They give the nurses a raise and then cut them loose, put them on the unemployment line. I give up.

I have another question of this minister. Yesterday, the minister told the press that she was serious about shifting health care funding from large institutions to community clinics, day surgery and home care. Would the minister explain why, in this internal document, home care is listed as one of the lines that represents program cuts to meet the needs of the \$60-million saving that the Treasurer told the minister to find?

Hon Ms Lankin: Mr Speaker, when I hear this member say he gives up, let me tell you, I give up. For this member to talk about hospital beds when he went across the province and promised thousands of hospital beds at a time when there were already too many in the system, and then to turn to his follower as the minister from his party to go back and try to make some sense of those promises, I am going to take that from this particular member.

Interjections.

The Speaker: Order. I am not going to give up trying to keep order in this place. It would be very helpful if all members could just remain a bit calm so that the Speaker can hear the response.

Hon Ms Lankin: With respect to the shift of moneys towards community-based and home care that the member mentions, as he knows we have made announcements with respect to the amount of moneys that will be forthcoming for long-term care redirection. On the issue he raises with respect to this year, we are clearly experiencing pressures in this area above what was budgeted for. We are trying to find out if there is a way to manage within the budget area. There may not be. I think the home services are a very important area to continue to support.

Mr Elston: This is very interesting. This document refers to "Measures to Manage In-Year Expenditure Pressures." It lists all the things she is going to do, including an area where the minister, in answer to my first question, said she was going to put her emphasis to deal with the backlog in hospital services. She said it was going to be in community health and home care, and here at the bottom it says, "Discussions will be undertaken with providers to moderate growth pressures within the home care program." What that really means is that we are into rationing home care and community health.

In addition to that, these people are sacrificing nursing jobs. People are being laid off. They are cutting hospital

services. They are freezing pharmacy fees. Then they go all the way down and answer that they are going to put emphasis on community care. Lo and behold, after saying that current benefits under the assistive devices program will not be expanded in 1991-92 to meet the disabled community, they say, "By the way, we're going to make sure we ration any increase in home care services."

The minister cannot have it both ways. If she is chopping hospital services and she is not going to provide the care in the home care area, how is she going to look after the people who need help?

Hon Ms Lankin: The member's use of words is amazing and inflammatory. The document does not say "ration home care." I have not seen the actual paper he is looking at, but if I am familiar with the document, what it talks about is a whole list of areas within the ministry and our budget that are currently under pressure. We have been instructed and are working with treasury board to try to manage our budget. In some areas we will have trouble doing that. We are undertaking program reviews in other areas to try to loosen money to cover areas where there are pressures. It is a normal process that every government is going to have to do in every year, particularly in tight fiscal times. For the member across to turn that into saying it is rationing as opposed to saying it is effective management of the system is quite bizarre.

Mr Elston: Let's just read a little bit from this document then. It says, "Measures to Manage In-Year Expenditure Pressures":

"Reimbursements for lab tests will be reduced to moderate cost pressure. Negotiations with other practitioners will mean that changes in their fee structures will be constrained," unlike with doctors. "Electrolysis will be discontinued," which is something they have already announced. "Alternate payment agreements will be introduced," to tighten their fist on those services.

"Fees for oxygen services for people who are disabled will be restructured. The existing list of drugs under the plan will not be expanded in 1991 and current drug prices will be maintained in 1991-92." There is a freeze on drugs that are being made available for people who need them. This means to me the minister is going to be rationing their access to those. "Over-the-counter drugs are currently under review with a target date for completion of the study by December," more coming in terms of taking those off the list.

"The existing dispensing fee of Ontario drug benefit plan will be frozen now. The current benefits under assistive devices program will not expand," and the disabled will not get any assistance from her ministry and from the minister responsible for disability issues. "Discussions will be undertaken to moderate growth pressures," which in the parlance inside her ministry really means, "We ain't going to meet the demands by the people out in the community."

The Speaker: And your question.

Mr Elston: The question is, how can the minister expect us to believe she is not in full-sail, rationing health care in this province under the guise of a story begun and

told full well by the man from Nickel Belt, she being a willing accomplice in this.

Hon Ms Lankin: My experience in this place gets more and more absurd as I listen to this over there. Quite frankly, the things this member raises are steps I have already announced. I have talked to the press about them. Quite frankly, it is the first time this system is being managed and it is about time. Let's talk about them. Let's talk about lab fees. We have seen in the private laboratory sector a growth in utilization at the same time as there has been a growth in automation in the use of technology. There are lower unit costs. That has never been addressed. We have moved on that and we are doing a review with them.

With respect to pharmacy, I have heard members all across the other side of the floor talk to us about the need to bring down the cost of dispensing fees for the public out there. We have done something about it, and we are going to save money for the Ontario drug benefit plan at the same time.

With respect to alternative payments, he says we are going to squeeze the system tighter. I saw the member sitting beside him, the former minister, nod her head and agree. It is absolutely the right way to go, to move to expand alternative payment plans for physicians.

With respect to oxygen restructuring—

Interjections.

The Speaker: Order. If members would stop trying to outshout one another, then I could hear the response.

1420

Hon Ms Lankin: Let me address the last couple of remarks that were raised by the member opposite. With respect to restructuring the payment of benefit of oxygen, we are ensuring that people are getting access to that. What we have done is negotiate a better rate with the providers of the system. What was happening under the management of the system under the previous government was one rate under the ODB, a high rate, and another rate under the Community and Social Services. We have rationalized and brought it together as an effective service for people. It means we are getting a better dollar value for what we are providing.

With respect to the assistive devices program, currently we have a program review going on. The Treasurer has already announced that and it is in full consultation with people in the community. We are not taking back services. We are looking at ways of improving the equity and equitable access to services in this area.

The Speaker: Would the minister conclude her response, please.

Hon Ms Lankin: In conclusion, we are engaged in an exercise to preserve medicare, to have cost-effective delivery of high-quality services. I think we are going in exactly the right way and I totally disagree with the comments raised by the member opposite.

LABOUR LEGISLATION

Mr Harris: I must say I am having difficulty keeping up with the new terminology. There are no more

unemployed; they are unwaged now. There are no more bed closures, no more rationing; it is managing beds of the system. As we understand the new language of the socialists, maybe we will be able to understand what it is.

However, my question is to the Minister of Labour. An Environics poll released this morning by the Council of Ontario Construction Associations confirms what we have been telling him for some months, that his labour proposals will hurt business, erode competitiveness and cost jobs. In this survey, for union members surveyed, over two-thirds of one union members believe there would be less business investment in Ontario if unions had a larger say in running the industry. This is what the union membership says.

With nearly half a million jobs and millions of dollars of investment at stake, what possible reason can the minister give for proceeding with even one of his planned labour union proposals.

Hon Mr Mackenzie: My ministry has received a large number of submissions over the past several months and this input into the process is appreciated. I want to emphasize that we want a real discussion based on issues we are considering. I also want to emphasize that we want constructive dialogue, not scare tactics. We will issue our discussion paper in the next few weeks and then we will proceed with the consultation process.

Mr Harris: Let me deal with a couple of specific proposals that concern a lot of people. First, 89% of the union members surveyed agree that the choice of union or non-union representation in the workplace should be decided by secret ballot. The second one I want to mention is that 86% of union members surveyed agree that picketing should be confined to the workplace where the strike is taking progress.

In view of the fact that 89% of union members in one case and 86% in another believe there should be a secret ballot and believe picketing should be confined to the workplace, what is it that the minister and Bob White and the Premier think they know better than their own union members about how union-management strike action relations should take place? Why are they proceeding in a direction opposite to what about 90% of union members in this province want?

Hon Mr Mackenzie: As I thought I had told the honourable member, we want constructive dialogue, not fear-mongering. We will issue our discussion paper early in November and we are planning an extensive consultation process.

Mr Harris: I believe this is constructive input, because this is from union members by secret ballot. This is not à la Bob White saying what they want; this is direct asking them in a survey what they want.

This government reminds me of the mother who, when her son marched along in a parade, said, "Oh look, everyone's out of step except my Bobby." That is what the mother said as the parade went by. It is time for the three Bobby brothers to wake up to the reality that they are out of step with the rest of Ontario, including the union members, including members of their own party. Even ND

porters and union members believe the three-Bob on proposals will damage jobs, will damage investment will damage the economy.

Given that even his own supporters believe he is going the wrong direction, will the minister change his disastrous course now and state categorically today that he is withdrawing all his labour union proposals and let unions and businesses get on with the challenges that are real and require them to sit down and work co-operatively together?

Hon Mr Mackenzie: As I have already told the members we need constructive dialogue, not scare tactics. We will soon be proceeding with a consultation process and will listen to all the groups that come before us during the consultation process.

LANDFILL SITES

Mr Cousens: I would like to give something to the minister of garbage, her own little corsage to wear—it has buttons and hypodermics and packaging, a rubber nipple and a few other things—just because I am thinking of her so much and so are the people of Peel and other areas around the province. Maybe when she wears it, she will be thinking more of what her job should be.

On September 24, I asked the minister if the Premier would meet with the region of Peel regarding the region's position to the expansion of the Britannia landfill site. By her own admission, the minister agreed there is a mounting short-term garbage crisis in the greater Toronto area and that Britannia is not expanded and no alternative plans are developed there will be a serious problem in Peel.

I ask the minister once more, when will she and her government make an attempt to co-operatively resolve the Britannia landfill issue?

Hon Mrs Grier: Let me start by thanking the member for the corsage and by saying that I appreciate the sacrifice of whichever member of his caucus gave up his soother.

With respect to the Britannia landfill site, let me assure the member that it is my wish to work in co-operation with the region of Peel as much as possible. The order I issued to the region of Peel asked for community involvement. We have had a series of meetings with them to discuss the studies that are required, and I very much hope that when those studies are completed we can work co-operatively with Peel to implement the continued use of the site.

Mr Cousens: We picked the soother out of the minister's garbage pail and returned it to her. I hope she will wear it. She should have some fun around here, because she is causing so much damage.

The minister is concerned, as she stated yesterday, with public participation in the search for new landfill sites by the Interim Waste Authority, so I find it alarming that she would include section 20 in her newly introduced Waste Management Act. This provision allows cabinet to determine which act has precedence when a conflict occurs with other legislation, such as the Planning Act or the Municipal Act. In other words, if municipalities seek legislative protection against this government's warped waste management agenda, cabinet will simply overrule.

Can the minister assure this House that any decisions on new landfill recognize the legislative right of municipalities to at least have some input into the process?

1430

Hon Mrs Grier: I am more than happy to assure the member and all members of this House that the search for the long-term sites being conducted by the Interim Waste Authority will be a process that is more consultative, more certain and more clear than the waste management planning exercise that has been undertaken by any other authority in the past. That was the commitment I made when I indicated last November the direction in which we were going with respect to the GTA waste, and I am delighted that the criteria for site selection and the legislation that I introduced last week both indicate very clearly the process to be followed and the requirements under which the search will be conducted.

Mr Cousens: They are very empty words when in fact the minister has not even met with the representative from Keele, when she has gone ahead and had the expansion of Keele Valley and Britannia without a full environmental assessment, and when she is doing things totally contrary to promises she made earlier. Now the minister is making other promises. I am not going to ask her this question, because I know the answer. Who is going to believe what she is saying today? I just cannot accept it.

In the minister's response yesterday to the leader of our party—

An hon member: Who's that?

Mr Cousens: The honourable member for Nipissing is that, and a very outstanding job he is doing. He asked a question yesterday of the Minister of the Environment, and she informed the House that in looking for new sites there will be a full environmental assessment. That is the first time she has said it since before the election, but now she is saying it. Yet in Bill 143 there are three paragraphs which deal with what an environmental assessment is not required for. It is not required to contain certain things, so this certainly does not appear to be a full matter as far as what the minister is going to do is concerned. I do not believe she is going to have that, especially since she has sections in the bill that are going to preclude it.

Will the minister please clarify her position? Will there or will there not be a full environmental assessment on new waste disposal sites?

Interjections.

The Speaker: Order, the member for Oriole.

Hon Mrs Grier: Let me start by pointing out that in his first question the member talked about the immediate crisis and the short-term plans for Britannia and Keele Valley. In his second question he talked about the long-term-site search and the strategy of this government. In his third question he again talked about the long term, but he persists in confusing the immediate and emergency steps with the long-term search.

Let me assure the member that the legislation I introduced last week calls for an environmental assessment—

Interjections.

The Speaker: Order. Will the minister take her seat. It would certainly make it much easier for the Speaker, and I suspect for other members, if we could try one question at a time—

Mr Mahoney: How about one answer at a time?

The Speaker: —without interruption, to which we would then hear one response at a time. The member for Mississauga West, just relax, and with your co-operation we will get to the response.

Hon Mrs Grier: This member and many others within the House have brought to my attention, as have I to the attention of my ministry, the frustration felt by many proponents of landfill sites and of waste management master plans because of the uncertainties of the process. For that reason, the Interim Waste Authority, which is seeking the long-term sites—I am not and neither is my ministry; that is the agency doing the long-term planning—is, through the legislation, not required to consider those non-environmental alternatives such as incineration and transport to northern Ontario which this government, as part of its waste management planning strategy, has eliminated.

Instead of spending many months and millions of dollars in doing consultant studies for an option the government has already ruled out, the environmental assessment will take into account the alternatives of the 3Rs and of landfill and will search for environmentally sound landfill sites to take the greater Toronto area into the next century.

Interjections.

The Speaker: Order. One moment.

Mr Mahoney: I assume this is question period. There should be some answers.

The Speaker: Question period will function better when only one voice at a time can be heard. When the member for Mississauga West has come to order, then his colleague the member for Lawrence can place a question.

PORNOGRAPHY

Mr Cordiano: I have a question of the Minister of Consumer and Commercial Relations. The minister would be aware of Project P. Project P is a joint OPP-Metropolitan Toronto Police anti-pornography agency which has seized thousands of videotapes and charged individual video store owners with possessing and selling obscene material. However, all of the tapes in question have already been reviewed and cleared by the Ontario Film Review Board.

There is obviously a conflict between the film review board, which is approving films for viewing according to its guidelines, and the police, who seem to disregard the board's approval of these videos. To say that confusion exists is an understatement.

It is the minister's responsibility, as part of her mandate, to protect citizens in this province by clearly providing an answer for what is pornographic and what is not. Is it the minister's intention to take up that responsibility now?

Hon Ms Churley: In fact, it is not my responsibility to define what obscenity is or what pornography is. As explained before, it is the role of the federal courts to define what obscenity is.

The role of the film review board is very clear: It is to classify films according to the Theatres Act, which is what it does. It follows its guidelines. It communicates actively with communities and tries to keep the standards of communities. It is not the board's role to define obscenity.

It does, however, pay attention to court decisions. As I have said before, that area of law right now is in some confusion. There have been different court decisions that have come down. We are waiting as well for those court decisions to help resolve this situation.

Mr Cordiano: Six months ago this minister stood in this House and said she was going to look into this matter and review it very quickly. Of course, nothing happened in that time and six months have gone by. In the meantime, charges continue to be laid and private citizens keep getting caught in the middle between the film review board and the police.

Does the minister attend cabinet meetings? Does she talk to her colleague the Solicitor General, who is sitting in the House today? Has she reviewed this matter with him? If she has not, I suggest the minister sit down with her colleague the Solicitor General, discuss the matter and make it clearer as to what standards will be set so that the public out there knows what will be obscene and people will be better informed as to when charges might be laid by the police. There is total, massive confusion out there, and the minister's responsibility is to make sure that confusion stops.

Hon Ms Churley: Perhaps I should try to explain again the role of myself and the film review board, because it does not seem to be clear. The member is taking the wrong approach and is wrong in his statements about what my role in this is. I do not have any say in what actions the police take, and I have no say in defining what obscenity is. I have taken action. I have met with the film review board. We have discussed categories. We have discussed court decisions. We have discussed the film review board guidelines in terms of—

Interjections.

The Speaker: Order.

Hon Ms Churley: This is a very important point that I would think at least the member who asked the question would like to hear. The film review board does have very clear guidelines, as does this government, around the kind of obviously objectionable material, which is violence against women and children and that sort of thing. It is never classified by the film review board and will continue not to be classified by the film review board. If those kinds of films are getting out there, it is being done illegally.

1440

ANTI-RECESSION PROGRAM

Mr Harris: My question is of the Treasurer. Last April he told us that the reason for the \$10-billion deficit was to create 70,000 jobs in the province. At that time I asked him where these jobs could be found. Were they in the manufacturing sector? Were they in the construction sector? Were they in the service sector? Could he break

for us so we could measure after a period of time whether his budget was having any success?

It has now been six months to the day since he brought in that disastrous budget. Many in this province have identified hundreds of thousands of jobs that the overall rate and atmosphere that his budget created have cost the opportunity and the uncertainty in the future and jobs they have cost us. Today, six months later, could the Treasurer give me an answer to the question that he did not answer at the time he brought down the budget? Could he tell us where these 70,000 jobs are? Are they in the construction sector or the service sector or the manufacturing sector? In fact, could he perhaps identify for me one specific job of the 70,000 jobs? Could he tell me what it is and where he is working?

Hon Mr Laughren: I have learned in this business not to take too much credit for things that we accomplish, but the people of this province will judge. I do not think I did it alone. I think the leader of the third party must be, by his policies, created jobs for fund-raisers in the third party in order to pay off his substantial debt, and I commend him for that. That is obviously a necessary and a good thing to do.

Mr Elston: Oh, nasty.

Hon Mr Laughren: It is not nasty; it is just replying in kind. I think what we said in the budget was that the measures we took would create and/or protect about 20,000 jobs in this province, and we are proud of that record. Also, when we introduced what we called our anti-recession package, that very directly created 14,000 jobs, with the local government component, we think it will have created almost 20,000 jobs in capital-intensive works across the province.

I ask the member of the third party to check with municipalities in his own area as to the degree to which our anti-recession package did indeed create jobs, not just in North Bay, of course—that too—but all across the province. We are the one government in this country that did not roll over and play dead when the recession hit us as hard as it did. We are proud of the action we took to protect working people.

Mr Harris: The Treasurer could not, at the time he brought down the budget, really identify these 70,000 jobs. We know we have lost several hundred thousand jobs as a result of the budget and other uncertainties that his policies have created in the marketplace.

The member for Scarborough-Agincourt asked, I believe in estimates or in committee, for a breakdown by sector of the new jobs created in the budget. An October memo from the ministry says: "Treasury does not provide a forecast for employment growth by sector." I do not know why it does not. I guess they do not want to measure whether their budget was successful or not.

I asked the Treasurer if he could identify one person, one job. I hoped he could identify the 70,000, but he has not identified one for me, one individual who is working as a result of his \$10-billion deficit. I think the point is that: Six months later, we are at this anniversary. We are obviously still in the depths of a recession. We have fewer

people working now than we did when he brought in this monstrous \$10-billion deficit. Will the Treasurer admit today that his budgetary plan has failed? Would he not agree with that on this dismal six-month anniversary and agree to bring down a new economic plan in order to get Ontarians back to work?

Hon Mr Laughren: Sometimes the contradictions by the members of the Tory party in this assembly are truly mind-boggling. The leader of the third party one minute implies that we should have laid off thousands of civil servants in the province in order to reduce the deficit, implies that we should have cut spending all across the province. He is going to have to explain to me how, if we had not taken the actions we did in the budget, unemployment would not be higher than it is now. As a matter of fact, the unemployment rate has dropped this year. We believe we are coming out of the recession. All the experts tell us that, not just the Ontario government experts.

I meet with business people all across this province week after week, and I do not believe in pointing figures, but do members know what they tell me first? "What can you do about the high value of the Canadian dollar?" I say, "I do hope you've spoken to Mr Harris."

EMERGENCY TELEPHONE SERVICE

Mr Huget: My question is to the Solicitor General. Many constituents in my area are very concerned. The member for Leeds-Grenville stated yesterday in this House that the Ministry of the Solicitor General has cancelled the 911 consultation service it provided to municipalities. I must say this came as quite a surprise to me and to constituents in my area, because several municipalities in our area are presently being helped by the ministry to bring 911 service to them. Is the member for Leeds-Grenville correct? Is it true the Solicitor General has cancelled the 911 consultancy service?

Hon Mr Pilkey: I thank the member for the opportunity because it allows me to correct some rather inaccurate statements that have been made. I fear that the statements by the member for Leeds-Grenville and the press release he issued may have caused some rather undue concern in parts of this province. I would like to inform the honourable member for Sarnia that the statements of the member for Leeds-Grenville are totally incorrect. The fact of the matter is that we have not cancelled the 911 consultancy service. This service is at present working with some 25 municipalities across this province, 75% of the population of this province is now covered by 911 and more municipalities are coming on line all the time.

Mr Huget: Many constituents and municipalities in my area will be happy to hear the minister's response. I would also like to know what other initiatives he has to help communities that do not have 911 service to obtain it.

Hon Mr Pilkey: There are a number of things my ministry is doing to reduce the—

Interjections.

The Speaker: Order. Would the minister take his seat.
Interjections.

1450

The Speaker: I ask the members to come to order. When the members have come to order, then the Speaker will be able to hear the response to the question placed. Fortunately it is not the Speaker's job to determine the value of questions or the intent of questions, but the Speaker has a responsibility to hear them. That is what I am attempting to do.

Mr Jackson: On a point of order, Mr Speaker: The question in this House is that when a minister is unable to answer the question, he is given an opportunity to rise in the House and give a response. That courtesy was not extended by the minister. He chose to use a method we are not used to using in this House. If that has created some disorder in the House, I would ask the Speaker to examine that the minister was asked a question yesterday. He was unable to answer it. He had an opportunity to respond in the House and he has denied another member an opportunity for rebuttal. That is the parliamentary tradition we inherited from the British monarchy and it is the one we should keep in this House today.

Interjections.

The Speaker: Order. Minister, take your seat for a moment. The member for Burlington South raised—

Interjections.

The Speaker: Order. When raising a point of order, it is not helpful to then create disorder. The member for Burlington South rose on a point of order. While I do not believe there is anything out of order, I would be pleased to take a look at Hansard. In the meantime, the minister rightfully has the floor to respond to a question asked earlier.

Hon Mr Pilkey: At least the member for Leeds-Grenville need not feel lonely in the error of his comment yesterday, because he is joined today by the member for Burlington South, who is equally wrong and equally inaccurate. He suggested to you, Mr Speaker, that the minister, namely, myself, yesterday was unable to respond to the question. He is in error. I responded to the question. I responded accurately. Hansard will so show. I indicated that this item, along with others, is being considered with respect to the 1992 fiscal budget and was under consideration with all other items. I knew the answer. I gave the answer. The answer is a fact. His suggestion that I did not know the answer is equally wrong.

To the point at hand—

The Speaker: Briefly.

Hon Mr Pilkey: —to the member for Sarnia, there are a number of things my ministry is doing to reduce the initial startup costs. We are working with Bell Canada on the design and testing of small, less expensive telephone switching that will assist rural communities. Quite frankly, these initiatives will help rural communities to get 911 services if they desire and wish them.

Mr Runciman: On a point of privilege, Mr Speaker: I think I have the right to respond. The minister suggested—clearly stated as a matter of fact—that I had not informed

the House correctly yesterday. I had not suggested that 911 be—

The Speaker: Order.

PROSTITUTION

Mr Ruprecht: I have a real question for the Solicitor General on red light districts. The Solicitor General will certainly know and be concerned about the statements that have been made by his colleague the NDP mayoralty candidate, Jack Layton, about red light districts. The mayoralty candidate is calling for zones of tolerance, or red light districts, where street prostitutes would be able and totally free to carry on their trade and sell sex openly. Is the Solicitor General considering at present a policy that such red light districts or zones of tolerance would be established?

Hon Mr Pilkey: The laws relating to persons engaged in prostitution are contained in the Criminal Code of Canada, and until such time as the legislation is amended, the police have a responsibility and a duty to enforce that law. The level of enforcement is the responsibility of the local police agency.

Mr Ruprecht: That certainly was not the question. I am asking him today, if Mr Layton is elected as mayor and really begins to implement this strategy of red light policies, is the Solicitor General prepared to instruct Metro police officers to refrain from enforcing the Criminal Code charges for soliciting in those zones?

Hon Mr Pilkey: I do not have time to deal with hypothetical questions. We are spending our time dealing with real issues.

DRUG BENEFITS

Mr Jackson: I have a real issue of concern to seniors and I would like to ask the Minister of Health a question. It is only recently, I am advised as of October 10, that pharmacists, and we can only assume physicians as well, in this province were advised of a long list of drugs that will no longer be covered as other interim benefits under the Ontario drug benefit plan. This extensive list appears to adversely effect seniors as a target group in the decision that was made by her ministry.

Effective this Friday, the following drugs—I just use these three examples for the minister—Trental, which is a vasoactive drug that contributes to the flexibility of red blood cells, will cost senior citizens \$75 a month; Persantine, which is a specialized blood thinner required after heart valve surgery, will cost seniors \$53 a month, and heparin, a decision which is puzzling a lot of people this October, the month of breast cancer awareness, Nolvadex, which is a breast cancer drug treatment with no substitution, costs \$80.33 per month. Women on social assistance are going to have to come up with this \$80 in order to maintain their drug, and we are led to believe there are no substitutions.

Knowing the Lowy report and faced with the range of options she has, which could include reducing the incidence of drug fraud, reducing the average number of claims per patient, reducing the overprescribing patterns of Ontario physicians, why is it she simply chose to eliminate these special other interim benefits from the ODB? Why

she chose that route instead of these other options to reduce her expenses?

Hon Ms Lankin: The other options the member talks of are routes we are pursuing as well. I need to get back to him on a couple of points, because I think he has incorrectly mixed up some of the drugs from the formulary and the non-formulary list. I know it gets confusing. There were some drugs—he mentions Trental. I believe I recognize that name to be one of them—they were delisted from the formulary, which is quite different than the other interim benefits he is talking about.

In the case of the drugs that have been delisted from the formulary, it is because there is a suitable alternative at a cheaper cost. It is because the Drug Quality and Therapeutics Committee has reviewed it and feels that it is not of therapeutic value and should not be on there or that it is potentially toxic. In all those situations, let me say that if a doctor feels that is the only drug that would be of assistance to a patient, there is always the section 8 special authorization to pursue.

With respect to his question about pursuing database or doctors' prescription patterns, we are meeting with the Ontario Medical Association. The joint management committee that was established as a result of the negotiations has been on every issue, from both of those perspectives, as one of the first items for discussion on the agenda. We are also undertaking a comprehensive reform review at this time of the Ontario drug benefit program. I hope we are looking at the areas the member raised.

Mr Jackson: Without there being any dispute about the drugs in question, they all represent an additional cost to Ontario citizens who previously were eligible for them and who are no longer receiving them.

My point in raising it is that when we check with the Ontario Pharmacists' Association and the Ontario College of Pharmacists, we find there has been no contact from her ministry with respect to examining these abuses and misuses of this drug benefit system. The truth is that pharmacists know the prescribing patterns of physicians and the drug utilization of their customers. The minister would be aware of the practice of double doctoring that has been occurring in this province, where drug addicts and those who would profit from the resale of drugs are able to go to a pharmacy with a prescription and obtain morphine, Meperol 3, Percodan, Valium, etc. A whole series of drugs are involved in this underground.

Given that the weekly billings to her ministry from pharmacists all across this province include the name of the patient, social assistance benefit number, drug identification, the quantity and day prescribed and the doctor's name, the minister already has a system in place. She does not need a large committee. She can now look at cases of drug abuse, misuse and abuse. These drugs, in some instances, are finding their way into schoolyards—

The Speaker: And the question?

Mr Jackson: —in our communities. I simply ask the minister, when faced with the option of catching cases of drug abuse in the system or cutting medically necessary benefits,

why she has chosen to cut benefits? I will ask the minister again. I have already established from the former Minister of Health that there has been no consultation about this cutting and that is what I want—

The Speaker: The question, please.

Mr Jackson: —I want the minister to assure this House that she is looking at the cases of fraud in the ODB and not simply cutting at the expense of seniors, women with breast cancer and other types of medically necessary treatments in this province.

Hon Ms Lankin: I intend to take a bit of time to respond to this because I think serious allegations are being made.

First of all, with respect to the drugs the member raises, I think he has some confusion with respect to what we have done. The Drug Quality and Therapeutics Committee is the very specialized group that brings together people from the community and the pharmaceutical and medical community to review and make serious recommendations with respect to maintaining or placing drugs on the drug formulary. Their support for dropping drugs like Trental is confirmed and they were involved in that process.

With respect to his allegations that seniors will not be able to access these drug benefits if they are ODB eligible, let me again correct him. If in fact a doctor feels this is the only drug that would be of assistance and there is no suitable alternative on the formulary, there is the section 8 special authorization that will still allow a person to be covered. That has been the procedure in the past and that will continue. Quite frankly, he is wrong in his allegations on that.

May I just say to the member on that point that I have sent a letter to all MPPs trying to detail all this to assist them. If it is of further assistance, then I will in fact—

Interjection.

Hon Ms Lankin: If the member could just stay quiet for a moment I will offer him a complete briefing if it would be of assistance to him. However, let me come to his second point which is with respect to the—

The Speaker: Would the minister conclude her response, please.

Hon Ms Lankin: I am sorry, Mr Speaker. The member took about two minutes to place the question and I feel I need to be able to address that. I will try to do it very quickly.

The second part of his question was with respect to the issue of fraud and whether we are doing anything around that. I have said to him very clearly and directly that we are meeting with the OMA to try to review that issue and at this point there is not the ability to track it. We intend to follow it through and do that. I think we are absolutely committed to follow up on all aspects of this.

Interjections.

The Speaker: I ask the House to come to order. I am certainly aware of the fact that the minister by her lengthy response prevented one of her own colleagues from the government side from placing a question. It would be very

helpful in the future if detailed answers could be provided on the order paper, or simply respond to the member that a detailed response will be in the mail. It is important for us to try to maintain a short amount of time for each of the questions and the responses. The time for oral questions has expired.

PARLIAMENTARY PROCEEDURE

Mr Mahoney: On a point of order, Mr Speaker: You recognize that there is increasing difficulty in your maintaining order and I would like to refer to what I think is causing the problem and ask you to review it. It is right out of our rules, sir. It says, "Whenever the Speaker is of the opinion that a motion offered to the House is contrary to the rules and privileges of Parliament," you may rule on it. Then I look under privileges, "Privileges are the rights enjoyed by the House collectively and by the members of the House individually conferred by the Legislative Assembly Act."

Mr Speaker, I suggest that when you take into account the privileges of the members and when we see those privileges being violated, you look at yesterday's Hansard. The question was asked about the cancellation of the 911 consultancy service by the honourable member of the Conservative Party and the minister went on—I have reviewed it—and did not answer anything near the question. He said "that if this does become a formal decision, there would be alternative information available to those municipalities and regions that would have an interest in pursuing the development of the 911 service."

The member for Leeds-Grenville then went on to outline his concern about reports in the ministry about cutbacks of dollars in Orillia that would reduce 911, outlined specific examples, and simply asked the minister to confirm whether this was true. It seems to me, under the privileges extended to all members, that we could expect some kind of answer. If the answer is not available, then the minister could say he does not have the answer and request your permission to either stand it down or come back to the House at a later date, which is allowed.

Page 24 of our rules of procedure says:

"If in the opinion of the minister or the Speaker the question requires a lengthy answer, either the minister or the Speaker may require it to be placed on the Orders and Notices paper as a written inquiry of the ministry. The minister may take an oral question as notice to be answered orally on a future sessional day but where any reserved answer requires a lengthy statement, the statement shall be given under 'Statements by the Ministry and Responses.'"

This minister went on in his answer yesterday to give a totally irrelevant answer. He then went on in response to a very detailed analysis by the member for Leeds-Grenville where he outlined specific data. He outlined what was happening and he chose to say that—the answer he gave is ridiculous. It did not address the question in any way whatsoever. The rules, in my interpretation, are quite clear. It allows you to ask the minister, or the minister to choose, to answer at a future sessional day or to put it in some form or notice or to come back with it to this Legislature. As long as the government ministers are going to continue giving non-answers

to questions being posed—the evidence is very clear and the retribution from your office is very clear in the orders you are not going to get order in this House and I think that's wrong.

1510

I ask you to review the point of order I have raised, to look over the answer by the Solicitor General and to perhaps give some direction to either the House leader, the Premier or somebody over there, that if they do not know the answer they try to buffoon their way through question period. They should tell us they do not know it, get back to us with the answer and start giving us some reasonable answers.

I point out that whether we agree or not, the Minister of Health went to some extent to answer the question and you would notice how we were all quietly listening attentively to her answer. I suggest that if more members over there would follow the lead of that minister, maybe there would be more decorum in this place. You are not going to get us to settle down until these people start being responsible in answering our questions. I ask you to review that as a point of order and report back to this House.

Mr Eves: On the same point of order, Mr Speaker: I want to add further that I consider the question asked today of the Solicitor General by the member for Simcoe to be nothing more than a sham, giving the Solicitor General an opportunity to respond to a question he obviously did not know the answer to yesterday.

The member for Leeds-Grenville rose on a point of personal privilege to correct the record, because at no time yesterday did he ever say, as the Solicitor General accused him in the House this afternoon of saying, that 911 was cancelled. At no time did he ever say that. He suggested, as was pointed out by the honourable member, that the Solicitor General's ministry was considering cancelling the consultative program for municipalities under the 911 program and he admitted that this afternoon.

He totally misrepresented what the member for Leeds-Grenville said yesterday. He did not have the decency or the common courtesy to withdraw that comment and you, Mr Speaker, let the minister answer the point of personal privilege. That is your job, sir. You want order? Do something about—

Hon Mr Pilkey: On a point of privilege, Mr Speaker: As calmly as I can, may I join my fellow colleagues on the opposite side of the House in also requesting you to review my response in Hansard yesterday? I know that you will find that the question was answered directly and correctly and that you will put to an end all this verbosity that quite frankly is in error, if you so check Hansard.

Mrs Caplan: On the same point of order, Mr Speaker: I think the discussion is extremely relevant because you, on a number of occasions, have called attention to decorum during question period. I know that on a number of occasions when asking a question you, Mr Speaker, and I think quite properly, have noted that members sometimes go on a little long, and I have been guilty of perhaps a question that is too long during question period. The reason for that, as you know, is wanting to have as much information in the preamble so that the question will be

understood by those people who are watching question period.

The concern we have is when we see the kind of display where a minister stands up the day after a question has been asked and then responds to a point of privilege. It goes away from the time in question period for further questions and also creates a kind of impression that would suggest members of the opposition are in fact not getting answers to their questions because they are not asking the questions properly. To have the member for Sarnia ask it in the way he did was quite inflammatory to all of us on the opposition benches. For the Speaker to allow the minister to respond to the point of privilege from an opposition member and then turn and answer the question from the member of his own caucus I think was quite improper under our rules of procedure.

Further, I point out to the Speaker at this time that while he has been very good at calling time on members of the opposition who perhaps are going along with lengthy questions, he has not been as clear in the calling of time on ministers in their responses. I think if the Speaker checked the time of some of the answers, he would find he has not been quite as balanced as I know he would want to be and should be. That also poses some frustrations because we have a number of questions that simply do not go on.

We all know the leaders are given some flexibility. I believe that if you watch the responses from the ministers, the Speaker, what you will find is that, beyond the first two members' questions, the answers from the ministers are simply running out the clock. As a member of the official opposition who wants to see important questions of the day get raised in this House in a proper and appropriate manner, I ask that you pay full attention to the length of the responses and call the government ministers when they are going on at length.

Mr Mahoney: Mr Speaker—

The Speaker: Is this further to the original point?

Mr Mahoney: It is. It is more in the area of the rules than whether or not the minister answered the question. I have the Hansard here. If anybody wants to accept that as an answer, that is fine, but that is hardly something I think the Speaker can necessarily rule on and I am not sure it is appropriate that he does that.

What I do think is appropriate, though, is that if you look under the headline "V. Privilege," on page 14 of our rules, it says, "21(a) Privileges are the rights enjoyed by the House collectively and by the members of the House individually conferred by the Legislative Assembly Act and other statutes, or"—and this is my point, an important point, I feel—"by practice, precedent, usage and custom."

The practice, the precedent and the custom of this place is that when a minister does not know the answer, the minister says so and says he will get back to the questioner with the information on a future day. Then the minister has an option. He either comes back into this place and gives the answer—

Interjection.

Mr Mahoney: Well, you obviously did not know the answer or you would not have set up a question by one of your lackeys so you could give the answer today that you wanted to give yesterday but failed to give.

The Speaker: Would the member for Mississauga West direct his remarks to me.

Mr Mahoney: I am sorry, Mr Speaker. My point is that the precedent and the practice has been violated by this minister. Instead of coming into this House and saying, "Yesterday in answer to a question I made an error and I would like to correct the record," or "Yesterday some statements were made that I am not happy about and I would like to make a minister's statement," which clearly is the precedent and the practice and the custom of this Legislature, he does what is not precedent, practice or custom and asks somebody in his caucus to lob him a question so that he can assail the questioner from the day before, who has no opportunity either to ask a further question or to rebut a statement by the minister.

Mr Speaker, if you want decorum in this House, get these people to start behaving like parliamentarians and stop acting like a bunch of yahoos.

The Speaker: To the member for Mississauga West, I will be pleased to take a look at the points you have raised.

I might respond to the member for Oriole, though she is not in the chamber at the present time. I can assure her that I keep a close eye on the time. Indeed, members on the government side will say they are cut short of time as members from the opposition will say they are cut short of time. In fact, the amount of time I allow for questions is regardless of position. Whether it is a leader or any other member of a caucus, he gets approximately the same amount of time for placing his question and supplementaries.

Some of what the member for Mississauga West raises with respect to courtesies which are extended in the House might best be handled through the House leaders. Indeed I encourage them to do that.

I will take a look at the matters, as I have mentioned. When the member speaks of precedents, part of the precedents of this chamber has been, over a long period of time, that certain courtesies are extended in the House and that generally they have been reached by agreement of the three parties as to when statements in response to questions asked earlier will be made to the assembly. But I will review this and get back to you as quickly as I can.

1520

Hon Mr Cooke: Mr Speaker, I would like to point out on this point which has been raised that I am more than willing and the government is more than willing to take your suggestion that the House leaders should be sitting down and talking about these procedures as well as rule changes. On September 16, as well as the following week and October 3 and every week since, I as House leader for the government have invited the opposition House leaders to participate in a discussion of the rules. But to this point the opposition parties have refused to sit down and negotiate rule changes.

Mr Elston: On that, I am absolutely offended by the government House leader trying to make this into some

kind of cause to change the rules of the House because he is in charge of a caucus that will not comply with the current rules. They will not have the Premier in here to answer questions. They send him out, if he even attends at all, after half an hour; he is unavailable to answer questions. They send the ministers away into the ridings, out away from this place so we cannot reply to their announcements.

His standing here today is part of the contrivance of the New Democratic Party to erode the integrity of the process for which I was elected some 10 years ago or more. I cannot stand for that man to take his place and reply to a point of order which has nothing to do with his rule change agenda.

I have suffered their silliness just about long enough. They have not come to us in any kind of parliamentary tradition to allow us to examine the public business with any evenhandedness. They sent the police when there were documents out. These people are at their best when they are most draconian. They are doing things that have never been done in this House before, not by any of the preceding governments. What is more, they are setting a trap for all interested democrats which will be sprung at a moment of their choosing so they can be more draconian than any other administration in any other part of the parliamentary world.

I cannot tolerate that, I will not stand for that and I will not be intimidated, nor should the public service be intimidated, by the stuff that man represents as government House leader.

Mr Bradley: I was not about to enter the debate on this point, but I will, because there has been discussion of House leaders and what House leaders should and should not be doing. It is indeed true that the government House leader, now that he is in government—not when he was sitting in opposition—suddenly believes the rules of the Legislature are not to his satisfaction. When he was in opposition the rules seemed to suit him quite nicely. He utilized the rules to his own advantage, and that was the way it was in opposition. It may not have been something the previous government thought was conducive to the nice working of the House; nevertheless, we worked under those rules.

But now, because the government cannot get its way on every possible occasion in this House, the government wants to change the rules. When the House is, as the member for Victoria-Haliburton would say, indecorous or when there is a question about a committee that does appointments to government, everything now gets tied to the fact that if we would only change the rules, this could all be solved. If we would change the rules, we could have the Premier in here every day. If we would change the rules, we would have statements made in the House. If we would change the rules, there would not be a dust-up in the House every day.

We in the opposition happen to feel that the rules, which were negotiated mutually among the three parties represented in this Legislature just a couple of years ago, are quite fine, thank you, and that if the government were to operate its agenda in an appropriate fashion, we would not have the problems we have today.

Mr Mahoney: Mr Speaker—

The Speaker: Is it on the same point?

Mr Mahoney: No.

The Speaker: A new point of order.

Mr Mahoney: On a point of order, Mr Speaker: would like to address a comment you made, Mr Speaker, when you said that the whole issue of length of time a decorum could be referred to the House leaders. With respect, sir, that is not what the book says.

Interjection.

Mr Mahoney: Yes, that is what I heard, that you wanted it referred to the House leaders for them to come up with some agreement. If that is not what you mean, will stand corrected on that. Rule 32(a) very clearly says:

“Questions on matters of urgent public importance may be addressed to the ministers of the Crown but the Speaker shall”—not “may”—“disallow any question which he or she does not consider urgent or of public importance. If in the opinion of the minister or the Speaker”—not the House leader; there is no mention of the House leader—“the question requires a lengthy answer, either the minister or the Speaker may require it to be placed on the Orders and Notices paper as a written inquiry of the ministry. The minister may take an oral question as notice to be answered orally on a future sessional day but where any reserved answer requires a lengthy statement, the statement shall be given under ‘Statements by the Ministry and Responses.’”

There is no mention in here of the responsibility of any of the House leaders in relation to how this place runs. I think the responsibility of the House leaders is to somehow come to agreement on the order of business, not the method under the rules and procedures of the Parliament, sir. That is your job and yours alone. I respectfully ask you to review that and to review my complaint, because I for one would like to see business done in this place with some decorum and get some responsible answers from this government.

Mr Scott: Mr Speaker, I am going to make a practical suggestion to you, if you will accept it, as I hope you will. The difficulties the House has had, and that you have had trying to control it, are pretty well obvious by now. There has been a lot of talk among my colleagues and others outside the House about the circumstances in which the House finds itself and how we might address this. There have been some wags who have said, “As the government is going to be thrown out in three years, why worry now?” That is not really the point. It is important that some way of conducting the business be found.

Now many of the things that have happened may be, as you yourself have said in your rulings, things that are beyond your control. But in light of that, I am going to seriously suggest to you that you should convene a meeting of representatives of the House. At least one of the House leaders is so generally unacceptable to the three parties that he alone will not be able to solve this problem. You should convene a meeting of representative members of the House to see if you can deal with a number of things.

The first thing to be dealt with is the absence of statements. Every member in this House who has served for more than this term understands exactly what has happened. The government has decided that it only gets into trouble when the Legislature is in session and that the government rule is unattractive to it. Rather than changing it, they are simply going to ignore statements and make them in public where they cannot be effectively criticized because as soon as they make their speech they hop in their limo and get back to the comfort of the building.

The first thing that has to be done is that we have to persuade the government to do what all governments in Ontario and in Ottawa have historically done; that is, make important statements in the House where they can be heard by all members of the Legislature and criticized here. I can assure you, Mr Speaker, that if that alone were accomplished, much of the heat and anxiety would be lost.

The second thing, and I understand this is technically outside your control, though I think there is a ruling pending on it, is that it has got to be understood by this government, and I hope a conference will be arranged to achieve that you simply cannot send the police after opposition members to investigate how opposition members access to information.

Mr Speaker, I understand the rule about your precincts and how difficult it is for you to control that. But the government of the day has to understand not only that it is against all parliamentary tradition to send the Solicitor General's police around to threaten and to harass, as was the case in the case of my colleague the member for Halton Region, but also that if it is going to do that as a matter of government policy, the House is going to be unruly.

There are other things. The length of questions has been raised today, the unsatisfactory nature of responses and the effort to set up questions to allow the minister to respond. All those things are important, but this government has to understand sooner or later that there is a tradition here. It is a tradition that they upheld valiantly for decades in this House. It was part of the best tradition of the NDP in Ontario to uphold the importance of Parliament in our system. They have to understand that to abandon statements without even an attempt to change the rule, to send the police around after opposition members and to threaten them when they do their duty and all that sort of effort is not only completely outside the traditions of Parliament but leads directly to the kind of difficulty you are confronting in this exercise, Mr Speaker.

I would suggest to you that the thing to do—do not refer it to the House leaders. The government House leader has shown that he is not interested in doing anything but making sure the government has its way. Convene a meeting of representative members of the Legislature under your direction to consider how these matters can be dealt with so the parliamentary traditions of Ontario can be restored and then maintained.

Mr Stockwell: Mr Speaker, just quickly, I think you have a very important role to fill in this Legislature and it

is a role that is going to come under a little more scrutiny and a little closer review.

If you listened carefully to the comments of the government House leader, he suggested that he gave an offering to each House member from the opposition parties to come to a meeting to investigate and discuss rule changes. That may be an open-ended request, it may be a meeting that should take place, I am not sure, but the point I would like to make is that it seems to me in this Legislature we have some very clear and distinct rules.

I think any fairminded individual watching this or involved in this would agree that the rules are not being enforced. Ministers are making statements outside this House. I do not know how long it has been since the Premier has been here. Questions are not being answered. The time today with the Solicitor General was a painful and obvious problem that we in opposition have had.

Mr Speaker, you respond almost unanimously every single time with, "There is little, if anything, the Speaker can do." I think there are some things you can do. If you are going to get control in this operation, in this House, you had better not agree that the House leaders meet so they may change the rules, because that is not the solution. The solution is for you to meet with the government House leader and the government and ask them to follow the rules they had a hand in writing over these many years.

Mrs McLeod: On the same point of order, Mr Speaker: I take very seriously the proceedings of this House and I would not rise on this point of order if I felt it was in any way frivolous. I have become increasingly concerned, as my colleagues have, about the violation of reasonable access to information for the members of this assembly. I believe the increasing practice of this government to make statements on new government programs exclusively outside of this House and not to share that information with the members of this assembly is a violation of the privileges of members of this assembly and their right to access to information.

I understand the Minister of Northern Development and Mines is in Kenora today making an important announcement about a major transportation initiative for northern Ontario. If the Minister of Transportation had been aware of this announcement, it would have been possible for him to make a simultaneous announcement here in the House. In that way, all members of this Legislative Assembly and in fact people across Ontario would have had access to information about government initiatives, and that applies to members of the government as it does to members of the opposition.

Mr Speaker, I would ask you to review very seriously the concerns that are being raised and deal with them as an issue of the violation of the privileges of the members of the assembly and their right to information.

Mr Callahan: Just very briefly on one point that was touched on, the question of investigation of members and the attempt to silence them when documents were made available to them, I would submit that the very essence of Parliament and the very reason we have privilege in this House is because free speech in this chamber is absolutely

necessary to maintain the democracy that the people of Ontario deserve. I would submit this is one issue that really gives me grave concern. The fact that the threat of prosecution, investigation or intimidation can be made against a member of this House flies in the face of the free speech that was maintained throughout the history of parliamentary democracy.

I would certainly ask Your Honour to look at that at the same time that you look at this, because if that threat is going to continue, then the net result will be—and I do not say this pejoratively or deliberately on the part of the government—that the public, who are entitled to full disclosure—certainly we give them full disclosure under the Members' Conflict of Interest Act—will be denied that full disclosure because of this threat and this concern. I would ask you to really look at that. That is very destructive. It is eating away at the very purpose of this House, the very purpose of being able to speak freely in this chamber.

Mr Eves: On a point of personal privilege, Mr Speaker: I would like to apologize to you for the tone and abruptness of my remarks earlier, because I do not believe this is conduct becoming a parliamentarian either. But it is awfully frustrating sometimes to sit here and listen to what I at least perceive to be questions being asked by backbench government members that are no more than a self-serving propping up of ministers who perhaps did not come off as well as the government would have liked in question period yesterday.

The only comment I really wanted to make is that I would have thought it was more appropriate for the Speaker to have answered the point of personal privilege from the member for Leeds-Grenville than the Solicitor General to have answered that point of personal privilege. That was the only point I was trying to make, and I would like to withdraw the remarks I made directed towards you earlier.

The Speaker: Indeed I appreciate the comments of the member for Parry Sound, because I know the member for Parry Sound. He has always had a respect for the chamber and for the parliamentary traditions.

I might respond to the member for Mississauga West. Indeed when I spoke earlier of courtesies, it was in fact related to many of the items raised by the member for Etobicoke West, items that are not out of order but as a courtesy. For example, ministers may make statements in the House; they are not obliged to. I have on a previous occasion spoken about that matter. Indeed the member may recall that I encouraged government ministers to make statements in the House.

To the member for Fort William, again I appreciate the concerns she raised and brought to my attention.

To the member for Brampton South, that matter has been dealt with in part, and there will be more to speak of with respect to that.

To the member for St George-St David, who raises perhaps the more essential item with respect to decorum and order in the House, I will indeed convene a meeting of members of the assembly. It would be my hope that representatives from all three parties would be able to co-operate with

each other and with the Speaker in trying to establish a sense of order and decorum in this chamber so that we can conduct the public business.

I will convene that meeting as quickly as possible. Obviously it relies upon the co-operation of all three parties. Without that co-operation, I doubt very much that we will be able to do the public business properly, and without that co-operation, I doubt very much that any Speaker can maintain the kind of order and decorum that is required in this chamber.

1540

Mr Phillips: I would also like to add another element you might look at as you are considering this, Mr Speaker. My recollection is fairly clear that several weeks ago when we expressed our immense concern about the fact that government ministers were making announcements outside the House, the government House leader gave the opposition an undertaking, his own personal word, I believe, that it would stop. It has not. By my own count there have been at least six major announcements made outside this House in the last two weeks—not here—without any opportunity for us in opposition to respond.

I have a role to play in Ontario to ensure that government policies are subjected to scrutiny and where possible improved. I took the government House leader at his word and he has broken that word. That is a very significant move by the government House leader, Mr Speaker. If you wonder why things get hot in here, that is an example of why for many of us anger is rising. Credibility and trust are very difficult things to establish and very difficult things to maintain. I would just say to the government House leader, he is losing it very quickly on behalf of the members on this side of the House.

Mr Mahoney: Mr Speaker, I am sorry to prolong this. I truly am, but I am a little concerned that perhaps you missed my point. What I have attempted to do is to deal with you on points of order from the standing orders. I am sure you can get somewhat frustrated when points of order are raised on all sides of the House and they are just simply points of complaint. I am trying to tie them in to specific articles within this document which we supposedly run this place by.

It is fine to suggest that perhaps a minister can respond to a point of privilege or that someone can rise on a particular issue. I accept the fact that this government is not experienced in the ways of being the government from the point of view of operating under the standing orders of the Legislative Assembly. However, it is some 14 months, and the House leader clearly is an experienced member of this Legislature, as are a number of the senior members of the cabinet. They should understand the rules.

I can accept the fact that a member like the Solicitor General, who is relatively new in this place, might err or might not fully comply. We can understand that on this side of the House and we are prepared perhaps to forgive certain indiscretions or inability to abide by the standing rules.

What I am having a great deal of difficulty with, as are my colleagues, is that this House leader, who is quite

experienced, threatens us with changing the rules in here if we insist on asking that the current rules be followed. That is exactly what he did. He did it by implication, suggesting perhaps we could get together and discuss decorum, but I think the record would show he added a further element, "We could discuss decorum and perhaps changing of the rules." I am paraphrasing, but something of that nature.

That sends a clear signal to my House leader and to anyone who understands the procedures around here that the honourable gentleman is threatening us with changing the rules, which would in some way stifle the ability of the opposition members to perform their sworn duty, which is to oppose, either constructively or otherwise, and debate and put forward alternatives to government policy.

Sir, they are not allowing us to do that. You have heard several complaints from members here about statements being made in other parts of the province, in the hallway outside the east lobby, in press scrums or in some form of statement or press release about items that are of extreme concern and importance to the people in this province. They have little respect, it would appear, for the roles and responsibilities of opposition members because they continually refuse to put forward their government program in its place. That is one of the things that concerns us.

I was not in the House yesterday when the member for Leeds-Grenville asked his question about the potential cancellation of a 911 consultative service in the Orillia community and other parts. He cited, as I recall from reading Hansard, dollar amounts that were being withdrawn. The minister rose to his feet and said that it was possible that the program was being cancelled and that it might be necessary to review it, and that the municipalities would have the option of calling in to the ministry to discuss it. He did not deny it.

He then rose in response to a lob question today from one of his own colleagues, obviously a prearranged agreement between the backbencher and the minister—"Please, Backbencher, ask me a question so I can set the record straight on the unsatisfactory answer I gave yesterday to the member for Leeds-Grenville."

Having said that happened—that perhaps is an opinion on my part—that is why I refer directly to this document, the Standing Orders of the Legislative Assembly, because I could not expect the Speaker to rule on an opinion of mine or an opinion of any member in this House, but rather to rule on whether or not a member of the cabinet is operating under the standing orders in a proper fashion.

Very clearly the standing orders give the Speaker the authority and give the minister the option to either make a ministerial statement if he wishes to announce something—that a 911 service is indeed not being cancelled—could seem to be what he was trying to say in his answer yesterday. I suppose Instant Hansard will prove whether or not that is what he said, but that is what I understood him to say.

Why did he not stand up before question period, instead of taking four, five or 10 minutes between the question and the answer and the lob and the hooting and the jollering back and forth, whatever time period it was. If it

is two minutes, it is too much for him to stand up and make a statement. It is really ministerial statement material that he should announce to this Legislature and to the people in Orillia and to the member for Leeds-Grenville and to everyone in Ontario that his ministry is not cancelling it and that he wants to make clear the answer to the question yesterday, if indeed there was some confusion.

It would seem to me that he must have felt there was some confusion or he would not have asked the honourable member on his back bench to ask him a question to then allow him to stand up and give another answer to what, in essence, was the same question. I think it is totally out of order and I clearly have pointed out where in this document it outlines your responsibility.

I would also say, on a new point, that on page 8 under standing order 23(i), it says that a member shall not impute "false or unavowed motives to another member." I think the minister, in his answer, said the reason he wanted to give the answer to the setup question was that he did not want the impression to be left that the member for Leeds-Grenville had supposedly given some false impression to the public out there. Again I am paraphrasing it and Hansard will correct that.

Hon Mr Cooke: Put out a press release. The member for Leeds-Grenville did.

Mr Mahoney: Even if he did, he is imputing false motives. The minister did not answer the question. The government House leader should read Hansard from yesterday. The minister did not stand in his place and say, "No, it is not being cancelled." He stood up and he went on—

Interjection.

Mr Mahoney: No, it is not a debate; it is about the point that the minister has imputed motives to the member for Leeds-Grenville, a point made by his House leader, and I hope not ignored by the House leader of the government. The government is not following procedure. Clearly it lays out in section 29 that the procedures of the House are as follows—

The Speaker: Would the member take his seat.

Mr Mahoney: I apologize, but I think this is critically important.

The Speaker: It is very important and you have brought this matter to my attention in a variety of ways, which I appreciate. Indeed, as I mentioned, I will be reviewing the matter. There is not much more that we can say at this moment, but I do appreciate the detailed way in which you have brought this to my attention.

Mr Mahoney: With respect, sir, you attempted to answer me on my point in your response. I thought I raised a number of very critical points in relation to the operation of this place: the fact that the House leader of the government has no respect for the opposition's role, the fact that the minister has responded inappropriately and the fact that the clear outline is in the rules of procedure, the standing orders, that give you the authority to make decisions on this.

Mr Speaker, I just want to ensure that you not give me a 10-second answer, with respect. That is what I received from you and you are stating that you were responding to comments by other members. I think I have raised a number of very critical points in this regard and it may take you some time. But I would ask you, and I know you will, to take the time to read Hansard tomorrow and to analyse the points I have made and come back with a full report. I would appreciate that.

The Speaker: To the member for Mississauga West, indeed that is what I mentioned some time ago and I am more than pleased to do that. I will take a look at all the events as they have unfolded and I will be reporting back.

1550

PETITIONS

RELEASE OF ANTON KIKAS

Mr Mahoney: I have a petition with 4,068 signatures from teachers, students, parents, priests and nuns of Croatian parishes in Mississauga, Toronto, Oakville and Hamilton, as well as other parishioners. This petition has been sent to the Prime Minister, Mr Brian Mulroney, and it has also been asked of me to present it on behalf of the people who have signed it. It says:

"We, the undersigned, are petitioning for the immediate and unconditional release of Mr Anton Kikas from the Yugoslavian military detention and to be released to Croatian officials."

I endorse this petition and add my signature thereto.

RELIGIOUS EDUCATION

Mr Cleary: I rise today in the House to table a petition that reads as follows:

"To the Legislative Assembly of Ontario:

"We, the undersigned, petition the Parliament of Ontario as follows:

"The Ministry of Education has made evolutionism a compulsory core unit of senior OAC (previously grade 13) history and science. Since evolutionism and creationism are completed acts in the past, neither can be proven or disproven. In fairness to all parents and students, equal time should be given in presenting the underlying assumptions of each. Through the two-model approach, the skills of critical thinking such as recognition of bias, awareness of society's influence on one's bias and the awareness of assumptions can allow students to examine their own belief system and better appreciate an opposing view. These skills should be incorporated into all textbooks approved in circular 14, dealing with the question of origins."

I have affixed my signature to this petition, and it is signed by 21 constituents of the ridings of Cornwall and S-D-G & East Grenville.

NURSING HOMES

Mrs Sullivan: I have a petition which reads as follows:

"We, the undersigned, request that the government of Ontario immediately rectify the inequity in funding between nursing homes and homes for the aged. We strongly support the Ontario Nursing Home Association

in its efforts to provide better care for residents of nursing homes through increased funding."

I have affixed my signature to this petition.

ORDERS OF THE DAY

INTERIM SUPPLY

Resuming the adjourned debate on the motion for interim supply for the period commencing November 1991, and ending December 31, 1991.

The Speaker: I believe that when we left off, the member for Dufferin-Peel had the floor.

Mr Tilson: I had left off on the subject dealing with the whole questioning of our committee procedure in the House. Before I begin to sum up on that point I would like to briefly mention several other points that I know some members have spoken on and some members will speak on in the moments ahead.

The first issue, of course, is the whole subject of the deficit. The last we heard the deficit was something slightly under \$10 billion. I think the government has a obligation to give us more information on that. It was very suspicious when the Treasurer made an announcement some weeks ago that he was concerned with the recession and that there would be some cuts. There really were not that many cuts, considering the increase in the bureaucracy in this province, considering the increase in hiring for the civil service in this province, considering the increase in programs, considering the increase in the expenditures in this province, considering the bankruptcies, considering the unemployment, considering the amount of expenditures that have increased with respect to social services and considering the decrease in revenue that must be occurring in this province.

Obviously, if there are more and more businesses going out of business, more and more individuals going bankrupt, more and more businesses leaving the province for whatever reason—you can point the finger to whom ever you wish—the revenue must be down.

The question is, what is the real financial position of this province? I would hope that information would come to us before this motion is finally voted on. If we are allowing the government to spend more money, exactly what is the financial position? My guess is it is closer to \$12 billion or \$13 billion. If I am wrong, then let's hear the figures because those have yet to come to us.

When we look at the whole effect, we are now in the process of debating the series of revenue bills that will give the government the money it will be obtaining from the budget last spring, whether it be an increase in gasoline, an increase in tobacco, an increase in alcohol, aside from the other increases in the other bills we will be debating. We know that with the revenues—whether tobacco, alcohol, gasoline—everything is down. Business is down around the province, so common sense tells that the revenue coming into this province is down substantially.

If it is down substantially, what is the real deficit? When we look at the revenues being down and the social services being up, there is no substantial cutting of programs. If anything, there is an increase in the programs.

you have to do is look at the last portfolio for which I was a critic, and that was the Ministry of Housing: a substantial increase in the staff of the Ministry of Housing and a substantial increase of the civil service in the Ministry of Labour. I sat for an afternoon on the estimates of the Ministry of Labour and obviously the staffing has increased substantially.

I think we need to know that information before we vote on this motion. That is one of the subjects that has not been mentioned in the past and will be, I am sure, mentioned by other speakers.

On this whole subject we have been having, the whole procedure of this place, the whole procedure of the government, the operation, as a new member I must confess it is difficult to know the operation of how this House runs when I see the strange things going on that I do not, quite frankly, understand. In fact, business seems to be more and more carried on in the hallways of this House as opposed to in this House.

I do not understand new policies and statements being announced, whether up in the north or out in the east or out in the west or out in the hallways. Why are they not being introduced in this House? Why can this House not have an opportunity to respond to those statements before anyone votes? What is wrong with that?

It is as if it is a government in hiding. We do not know the number of ministers who seem to be absent on a day-to-day basis. The fact has been commented on that the premier seems to attend the House less and less. I realize, particularly this week, that there have been important engagements for him to be involved in, but it does seem to be a government in hiding. They will not tell us what they are doing. They will not tell us what their policies are, unless we read about it in the press.

Mr Huget: This is a tape replay.

Mr Tilson: Facts are facts. This is what we have been talking about the last number of weeks.

10

An hon member: Oh, please.

Mr Tilson: I must say I find it rather difficult when a member says, "Oh, please." I will return to the subject which I was originally debating on and which I was discussing yesterday, the issue of the closing of registry offices.

The closing of the Perth registry office is being announced as the standing committee on general government is debating that subject proceeds. Members on that committee had no idea it was going on. A member from the ministry is down in Perth informing the staff that their office is going to be closed. There are only two critics from the two parties. We were not informed about that until the afternoon, a very strange operation when you start realizing that this government wants to proceed.

I would like to sum up very briefly my concern about the operation of the committee structure, because it gets to the general operation of this House, and I am going to repeat the statements that have been made by representatives of the government. I mentioned them yesterday; I am going to mention them again very briefly today.

I understand that the way this system operates, when we are in this House with major bills, the government has to vote as one. There are always exceptions to the rules, and I understand of course that with private members' bills and other resolutions that are conducted once a week, there are generally free votes, and there are other occasions when there are free votes, when we are able to express our real opinions and do not necessarily have to follow the party line. Whether we are NDP, Conservative or Liberal, we are able to do that, with very little criticism.

My understanding is that this practice has been followed in the committee system, particularly when hearing members of the public and talking on very pertinent issues. Whether it is financial, housing, the closing of registry offices, if these matters affect a member's riding, no matter what party he or she is, whether it is the party in power or the party in opposition, the member is free to vote. To vote against a policy of the government in committee is not going to bring down the government; it is going to express the fact that the members are free souls, that they have the ability to vote freely on specific matters. In a committee, that is done.

I can say generally that the only other committee I have had some experience with is the standing committee on public accounts, and I have observed that this sort of thing does not go on; you do not necessarily vote along party lines. That has occurred, but in many of these committees it seems to be on the increase, particularly with this government, and is more prevalent particularly in the standing committee on general government, which I spent some time on in the last year.

I would like again just to refer to the dilemma and ask members if they can offer their suggestions to me, because these statements have gone unchallenged. Statements have been made by a solicitor acting on behalf of the Ministry of Consumer and Commercial Relations in a court of law involving an application for an injunction to stop the government from closing the Arthur registry office before the general government committee had made its report to the House on that subject. There was a request made for an application for an adjournment. There was an application made that the injunction proceed.

The lawyer making submissions made the following three statements, which I will repeat to the House: (1) "The general committee is of no significance"; (2) "The general committee is really just a way of creating political heat"; (3) "The general committee is composed of six members of the NDP and five from the other two parties and all the NDP members could be absolutely counted on to stick to the government's position of closure," referring to the closure of registry offices around this province.

Even if we ignored the first two points, the point that the standing committee on general government is of no significance and the point that it is just a way of creating political heat, the third point is the most devastating of all three points. It means that the government members, no matter what we do in those committees, whether it be amendments or matters that specifically involve their own ridings and their own constituents, are going to vote the way their government policy says. It does not matter

whether it goes against the people in their riding; they are going to do as they are told.

I repeat, it is not going to bring down the government for government members to vote against their own party in committee. It probably means very little. It is an astounding fact that if I am going to spend the rest of my term with this government, with the whole committee structure, this is the way the system is going to operate, that we know if any remote item comes up against government policy, government members are going to vote against it.

Where is the consultation they boast about? It certainly is not in the general government committee, and I suspect that is going to be the pattern throughout all the committees as we proceed in the weeks, months and years ahead. I for one will find it very difficult indeed to ask people from my riding and specialists from various fields to come and address committees to assist us and assist the government to formulate policy. I will find that very difficult because it does not matter what the members of the public say: I repeat, the NDP members can be absolutely counted on to stick to the government's position.

More frightening than that is that this solicitor said before the court that she had instructions from the minister to make those comments, so the minister is part of this. Of course, we asked that the minister come to the committee and address us about whether these comments had indeed been made and, if they had been made, what she was going to do about it. Members of our party asked in a resolution which was supported by the Liberal members of the committee that the solicitor come. We were talking about her: Did she make these statements or did she not? We asked that the people come who made the comments to me in letter form, which I am referring to this House, so that we could have a full hearing, because this attacks the very committee system, the public system, which we have. Do we have an open government or do we not. If we do not, what is the minister going to do about it?

That was defeated. The committee did not wish to deal with it further. I then proceeded to raise a point of personal privilege in this House, and the Speaker ruled that the matter must be decided upon by the committee. I then proceeded back to the committee, and the majority six NDP members even cut me off in debate. They moved that the question be put, and that was the end of it. I could not even debate the subject in the committee. Not only were they not prepared to listen to the observations, but they would not even allow me to debate the subject. I have to come here to this House to discuss it.

I then came back to this House and I rose again on another point of privilege. I said the majority members are doing the very thing this solicitor said; that is, the government members could be absolutely counted on to stick to the government's position. Again, the Speaker said that unless the committee asks that this matter be reviewed, we are not going to review it. Well, the committee is not going to ask because the government members guarantee the government's position. In other words, the statements have been backed up. The actions of the government are speaking in this House.

1610

There was a motion, as I indicated, which did come forward and was passed by the government, that the minister essentially investigate herself and her actions. It was a most remarkable motion and it carried, of course. The minister was asked to speak to the solicitor and, I suppose, to herself, because it involves her. It was a most remarkable position for the government to take.

In fairness to the minister, she did respond. I do not have the letter with me, but it was a very short letter of four or five lines and essentially it did not deny that the statements were made. It simply said the statements were not offensive and that is the end of the matter.

When we question today this government proceeding and making expenditures, aside from all the matters that have arisen today and in the days and weeks previously on statements and the government sending the police off to question members of the opposition, this is another issue that hangs over our heads; that is, the whole committee process and the participation of the public of this province in making submissions and comments to the government.

I hope that in the time that is allowed members of the government will address this subject, because it gives me great concern. I intend to participate in the committee process in some form as we proceed in the months and years ahead. I hope the government can assure me in some way that it will be listening to the public, that it will not be doing as this solicitor says, that is, voting no matter what the policy is that it pass. They are not going to allow the government policy, at least in committee, to be overturned or challenged, so hopefully it will become a government whose members listen and do not simply do as their masters say, whoever they may be.

Those are my comments with respect to one of the concerns I have that has developed in the last few weeks with respect to the committee process. I wish to speak on several matters that involve my riding, and one is the subject of education.

We now have two systems of education in Ontario, one for separate schools and one for public schools. My riding, Dufferin-Peel, does not have a secondary school as far as the separate school system is concerned. All the students travel to Brampton and attend Notre Dame secondary school in Brampton, which is not that old a school.

The member for Brampton North would be more informed. It is a problem that has developed in my riding and is affecting his riding because it is causing overcrowding. Notre Dame secondary school was constructed to accommodate 1,374 students. Those are the figures I have. All the separate secondary students from my riding go to this school.

Funding was announced and there had been communication with the previous Liberal government to develop a secondary school in my riding. It was originally going to be called Northern Secondary School and is now intended to be named after the late chairman of the board, Robert F. Hall. It will be called the Robert F. Hall Catholic School and will be in Caledon East.

The whole funding was discussed when the Liberal government was in office. The board was given the

pression the funding would be available by 1992. Now appears that it is not going to be ready until 1994. I understand it will take approximately two years to complete the construction of the school. The site is available, services are available, but the funding is not.

In my riding that means that there will be students travelling on buses for a minimum of half an hour or three quarters of an hour, one way, to a separate school in Brampton, from as far away as Mono township, which is the northern part of my riding, to the Brampton area. The problem, as I see it, is the effect on the quality of secondary education in my riding and indeed how it will affect the quality of education at Notre Dame, which is in my riding. I am a member for Brampton North's riding, because there is already overcrowding.

There are 2,000 students currently crammed into the school, which is relatively new. There are portables all over the place. It is quite a remarkable sight. I question the health issue. I am sure it is adequate or the health authorities would not be allowing it, but it does concern me as far as the issue of overcrowding and the quality of education is concerned in my riding. This is, of all times, when we have not only the issue of education in my riding, but the issue of stimulating the economy in my riding. I am speaking specifically of Caledon and Caledon East, which is where the school would be built.

At the earliest, it seems the school will not be available until 1996. I can tell members that to spend half to three quarters of an hour one way on a bus to go from Mono township to Brampton and then return again is very difficult. For some unearthly reason, this government has decided to delay the funding until 1994. It is strange, particularly when the Premier, as I understand it, made a commitment during the last election to reduce the number of portables in Peel region. He made this commitment in his campaign. Obviously this has not been met and is not going to be met. It may be met just before the next election, which is slightly suspicious, but certainly it is going to be 1996 before we see a new school, the new Robert F. Kennedy Catholic School in Caledon East, unless the government changes its policy. I hope the Ministry of Education will consider its commitment.

Keeping in mind the whole subject of Brampton and the southern part of my riding, which is one of the fastest-growing areas in this province—I quite frankly have no idea what the enrolment projections are for the area surrounding Notre Dame. Perhaps the member for Brampton North would have more information on that. I do know that the population in my riding, in Caledon, is going to continue to increase and that these students will not be receiving the quality of education that other students in other parts of the province will be receiving.

There is a very great concern about the whole cost of education, specifically in Caledon and around this province, on the property owner, the taxpayer. Specifically in Caledon, they are paying these tremendous amounts of taxes but they do not have a secondary school. The students have to go to Brampton to receive their secondary education, and that in turn causes overcrowding at Notre

Dame. We therefore have a problem in Caledon which has overflowed into Brampton North.

This is a subject that has been frustrating for members of the public in my riding, that with the high taxes the people are spending in Caledon, their children are not going to be receiving the quality of education they deserve and should have. Why can they not receive the education that other children around the province are receiving? There is no school, no school whatsoever.

1620

The second issue, and the final issue in my riding with respect to funding, is Dufferin county, which consists of the northern part of my riding, of which the major city is Orangeville. It has been proposed over the last number of years to construct a new museum. A great amount of time of course has been spent in funding other areas, specifically athletic ventures, but there has been very little time spent on the arts, on preserving our past.

There has been a small group of people in Dufferin county who have been working very hard to maintain Dufferin county's rural heritage. The building that has been proposed—I have seen the plans—will be situated on the northeast corner of Airport Road and Highway 89. It represents a bank barn with an observation deck and a silo, located on five acres of high ground with a view over the countryside. It has an area of 25,000 square feet, which includes 5,000 square feet for archives. It is proposed that it will have atmospheric lighting and security controls meeting museum standards.

There is presently a museum in Dufferin county. Ironically, it sits in the old, original registry office. I am not sure of the dimensions, but it is a very small building. The rest of the historical artefacts are stored, but members of the public find it very difficult to see the heritage of Dufferin county in the museum we have. Dufferin county clearly needs a central heritage complex that will allow us to collect and exhibit and protect artefacts from our past according to the stringent guidelines required for humidity, temperature, light and security. We are into difficult times. All of these things are required to preserve our past.

We need to expand our focus to include natural history. We need to establish an archives for document preservation and to service researchers. We have none of that now. We need to provide a safe place for artefacts before they are lost. The fear in many rural areas, and certainly in Dufferin county, is that the artefacts we do have are going to be lost for ever unless quick action is taken.

I think we need to know what is going on at other institutions. It is proposed that there would be a showcase that would provide and show exhibits from other institutions. Certainly, as has occurred in many other areas around this province, it is planned to have a facility such as is needed for collecting, preserving and cataloguing archival and study material, and to make it available to researchers and educators.

This program has been going on for a number of years, and submissions have been made to both the federal government and the province. It is at this point that I wish to express my concern during this debate on interim supply. The project is estimated to cost \$4.5 million. Dufferin

county is slated to contribute \$1.5 million, with the province and the federal government paying the rest. Funding has been requested from both the federal and provincial governments. The province's position to date has been that it will not take a position until the federal government makes a commitment. It encourages the program, but it is saying, "We won't provide any funding." It will not show any leadership unless the federal government makes a commitment.

Mr Marchese: That is not true.

Mr Tilson: Well, that is the information that has come to us from the former minister's staff. He has made a comment that it is not true, but that is the information I have, that the provincial ministry says until the federal government makes a commitment, it will not provide it.

Why can this government not show some leadership in this area? Obviously the project cannot take place unless the federal government makes its commitment, but why are we getting into the chicken and egg situation? It is badly needed. Our past is important to us. I am sure that in all of our ridings we look at our past, whether it be in the large municipality or out in the country, the rural areas. Our past is important. Artefacts are disappearing, and unless we have a central area to restore these items, to catalogue them, to keep them under proper conditions, they will be gone and lost for ever.

We do not appear to be going anywhere on this subject because of the inaction of this government. I would hope the ministry would take a second look and make the commitment, acknowledging that it thinks it is a good idea.

The government has acknowledged that it is a good idea to have a museum such as this. It has looked at the plans, as I understand it, and has agreed with it, but hopefully it would take a position and not necessarily make it conditional upon the federal government making a commitment, because that simply will not happen. Obviously there are going to have to be resources from all governments.

Those are my comments with respect to this debate. As I say, I have indicated two specific areas from my riding that give me some concern.

There are other areas which I have briefly referred to, but the whole area that I would question and that I challenge the members of this government to comment on in their two-minute responses is whether we are going to have a public committee system. Is it going to be possible for members of the public to come and make submissions to this government, knowing that it could change its mind, or are we simply going to have, to use the expression, a number of trained seals on the government side voting the way their government's policy tells them to?

I hope that does not happen, but that appears to be the indication—the unchallenged remarks by a solicitor from this government; that appears to be its position.

Mr Conway: I would like to catch my breath, first of all. My friend from Dufferin-Peel wound up his remarks just a little before I had expected he would.

Interim supply always provides a good opportunity for members of the Legislature to review any particular concerns or grievances they might have. I have often cited that

old maxim of parliamentary government that there shall be no supply without a redress of grievance. On that theme, thought I might say a few things this afternoon. I do not want to go on too long, but I have a number of things that would like to cover and I have to believe that there will be other members who will want to join this debate.

I want to start by commenting a little bit about the state of the House, because it is quite clear that the House is in a fractious mood. There are days when it is in a positive uproar. Now, this House has been in an uproar before. I must say it has had the reputation over the years as being perhaps the most colourful and uproarious of the several legislatures in Canada.

One always reminds oneself of earlier occasions. I can remember the first few days I was in here, 16 years ago, and my friend the then member for Grey-Bruce used to put on fairly colourful displays as a parliamentary figure.

I think it is fair to say that the House is in an anxious mood these days because the government has embarked upon a new policy with respect to House business. Again, I want to say that the present government is not the first government to do this, to decide in the course of a mandate that the way in which it relates to the Legislature needs to change.

1630

I am struck by the fact that the government appears to have taken on to itself and on to the public payroll a number of communications consultants. There is someone named John Piper. I do not know this fellow Piper, but he has quite a reputation, I gather, around Metropolitan Toronto school circles as a fairly tough-minded, hard-knuckled New Democrat, and those of us who have had some encounter with that breed of cat know just how stimulating an encounter that can be.

What I do know about Mr Piper is that prior to joining the current government, he was communications adviser to the royal family of Saudi Arabia. I was just struck by a clipping I saw not too many months ago from the Toronto Star where Mr Piper was providing communications advice to the Saudis on their visit to Toronto, where they did some very good and worthy things, according to this article by Bob Brent of the Toronto Star. I want to just quote a few paragraphs from this Toronto Star article of earlier this summer.

"Inside, the 55-year-old prince, his throne an ordinary armchair under flowing white drapes, was encircled by a 30-member entourage which sat cross-legged on pillows. Meanwhile, members of the media waited outside, observing the Saudi custom that the prince enter the building first. The number of reporters was equalled roughly by the Hill and Knowlton employees, supplemented by Mounties, who controlled the event with a tight precision.

" 'This is not a news conference,' organizer John Piper told reporters sharply, making it clear that they could not address the prince. 'This is a news announcement.' "

It is quite clear that Mr Piper has been affected by his encounter with Saudi royalty, and he appears to have been attracted to the new government by virtue of his successful manipulation of these kinds of press announcements

the public in Toronto, in this case on behalf of the royal household, but apparently—

Ms Gigantes: What have you got against them?

Mr Conway: The member for Ottawa Centre opines that, "What have I got against that?" She has had an opportunity to engage in this debate, and I am sure she will not want to take up the cudgels for her Saudi friends or for John Piper or whomever, as time permits.

I say very seriously that the Rae government, after 13 months in office, has succumbed, rather quickly I should think, to a tendency that has characterized other administrations, and that is that one has to have a more clearly defined, a more hard-boiled attitude of managing the Legislature, and more importantly, managing the press that attaches to the business that is conducted either here or in the name of Her Majesty's provincial government in Ontario.

We have heard from a number of people that it is certainly not the intention of the government to make any announcements in this place, not too many announcements any rate. I have seen with my own eyes some internal government memoranda in the last few weeks which I was tempted to bring in, but I thought no, it would probably make the lives of some people inside the government very difficult and I did not choose to do that. But the strategy is quite clear. I saw two memoranda which outlined absolutely clearly what the government is about. It is absolutely clear as well where this is originating, and again I would say it is not the first time—

Hon Ms Gigantes: Tell us. Let us in on it.

Mr Conway: The member may not have seen it, but the directors of communication throughout the government have both seen it and heard it, and I suspect in a few cases, most importantly, they have felt it.

Of course the government, duly elected, is entitled to do whatever it wishes. We are rather surprised that the strategy of Ted Jolliffe and Donald MacDonald and Stephen Lewis would have succumbed to this tactic, because as some members on this side of the Speaker's dais have observed, the promise of many years of social democracy in this Legislature would have left people with the distinct impression that it was just an old Tory way, and perhaps even those Liberals, on their occasion in government, might have succumbed to the temptation as well, but that the New Democratic way was a better way.

I myself attended this summer at some legislative hearings the like of which I have never encountered before. I do not know who these people at Alpha Communications are, but I suspect they are doing very well in these recessionary times by dint of a seamless web of Bob Rae government contracts. It was just something to behold. I am sure there is a nice sheet out there that says these are amateurs and facilitators, but anybody with half a brain and one eye would have seen and understood what was going on. It was, I think, the most pathetic performance I have observed over the years, and I myself have engaged in some stage management, but not with this degree of ineffectiveness. It was absolutely unbelievable what they were about.

I suspect there are honourable members opposite in the government caucus who honestly believe this is consultation. At any rate, it is all part of a piece. We see the Premier's attendance in this Legislature. I am not keeping score, but I would say, on the basis of what I have observed in the last few weeks, that the Premier is now, in terms of his attitude and attendance in this House, worse than anything I have seen since the middle days of the Davis government, but this is just unheard of. When I think of what Stephen Lewis would do with a Premier who has behaved like this Premier has in the last four weeks, there are not words and concepts and sufficient passion in any language of my acquaintance to do justice to what Stephen Lewis or Ian Deans would do. There would be a meltdown that would be quite something to behold.

Mr Sutherland: He's with the royals.

Mr Conway: He was certainly with the royals for the last couple of days, and it is pretty hard to miss the fact that he is with the royals. I remember reading Lord Tweedsmuir's papers about the royal tour of 1939 and about just how tired everyone got, from Franklin Roosevelt to the private secretary to the Queen of England, at how impossible it was to separate Mackenzie King from George VI. You could not do it. That wormy little Prime Minister was just there; the proud rebel's grandson was in every shot. Apparently the royal household went to some considerable extent to separate that very efficient party politician, Mackenzie King, from George VI and his beautiful and resplendent Queen, but nothing worked. As I look at the news these days, I think we have a thin version of Mackenzie King. He is in every photo shot. It is something to behold.

Hon Mr Laughren: Not true. He wasn't, Sean.

Mr Conway: Oh, listen now. I seem to have touched a nerve.

Mrs Marland: On a point of order, Mr Speaker: I think we do not have a quorum present. I would like you to verify that. We have some important statements being made and less than a quorum.

The Deputy Speaker ordered the bells rung.

1640

Mr Conway: I just want to make the point that the Premier and his staff have clearly worked out a strategy they are going to manipulate to the greatest extent they can. I can imagine this character Piper advising this but I know Ross McClellan rather well. There was a day when I would have also imagined that Ross McClellan would have had cardiac arrest at the mere suggestion of such a policy, and to imagine that McClellan is back there engaged in this little business just tells me that humankind has a measure of frailty and flexibility that we should simply observe. I observe that McClellan reduced to being part of this game is also interesting to me as someone who has watched the NDP over a considerable number of years.

At any rate, the Premier has decided what he is about. I am simply going to observe again that this strategy will come. It may work but it will be, I suspect, at the very end most a pyrrhic victory. After three weeks of its evidence in

this session, one can clearly see that the temperature of the chamber is rising and that does not bode well for the government.

The Premier has a considerable retinue these days as well. He not only has Mr Piper but he has managed, as my friend the member for St Catharines has been quick to point out on a number of occasions, to draw to his bosom Gerry McAuliffe. That is not an inconsiderable achievement.

To think that Gerry McAuliffe is now earning his \$100,000 advising the government about how to manipulate the press and how to abuse the Legislature. Gosh, maybe Gerry is even up there advising whomever on how, when and where to send the Ontario Provincial Police. The thought that Gerry McAuliffe is now part of this pantheon of social democracy, doing all these wonderful things, makes me realize that it is a brave new world in which we now find ourselves; that Gerry, John Piper and Ross McClellan are now what the 19th century would call the wire pullers, working their little magic way through the day in their rather interesting concept of the public good.

I am also going to observe again that restraint has been talked about. I never cease to be amazed at how many people I know who are good New Democrats from British Columbia through to Newfoundland; people I now meet who tell me about the executive positions they hold in the Ontario public service. I do not want to embarrass some of these people. I have met some of them in the most interesting places. I am sitting there thinking, "How are things in Newfoundland?" until the former member of Parliament says to me: "Newfoundland? I am really enjoying Toronto." "Oh, what are you doing?" "I am working for the people." Again I am not complaining so much as observing.

I saw some very interesting data about who is where in the cabinet office and the Premier's office. I have to tell members that if there is a growth industry around Toronto these days, it has to be the Premier's office and the cabinet office.

I am thinking about an order paper question but I suspect the wire pullers will quickly figure out a way to cloud the truth of what is going on. Some of the materials I saw suggest to me that a good reporter working for one of the larger, better-financed news organizations might want to take a close look at the growth of the size and payrolls in the Premier's office and the cabinet office because we do not only have the John Pipers and the Gerry McAuliffes. I saw a group of communications people attached to either the Premier's office or the cabinet office that went on for pages. I was very interested to see that this growth had been as significant as it had over a short period of time.

My friends opposite will be not surprised if there is a certain scepticism on this side of the House as to just how serious the Rae government is about restraint being the order of the day for all of us in the Ontario public service.

I want to repeat that this strategy of manipulation and related activities that keep the Premier away, that make announcements elsewhere—and I thought the Attorney General outdid all the expectations of this policy by having some person standing just outside the door the other day, literally outside the door, handing out an announcement

with significant news around the rape shield question, thought that was about as discourteous an act as I can remember in some considerable time. I have said that and am not going to repeat unduly this afternoon.

If I can reduce the din of the series of conversation over here to my left, I would like to talk about another issue that has been very much canvassed in recent days in this Legislature, the whole question of the OPP being asked to investigate members of the opposition. I want to quickly recall for two members' attention what happened in one case. There were a number of cases, but the case—

Interjections.

Mr Conway: It is a little difficult. There is a rising din in my ear that I find—

The Deputy Speaker: I am inclined to agree. Perhaps you could lower the tone of your voice or, if you want to conduct a conversation, I would suggest you do it outside.

Mr Conway: In early June my colleague the member for Hamilton Centre came into possession of a cabinet document from the Ministry of the Environment having to do with the Toronto garbage crisis that set out a number of alternatives as to how the new government was going to deal with this.

She came into possession of that information and apparently used that information in a question, or in the House in some fashion, as did my colleague the former member for Brant-Haldimand, the then Leader of the Opposition. Shortly thereafter, in her constituency office in Halton region, she was interviewed by a detective inspector of the Ontario Provincial Police who indicated there was some very real concern around this and she should be aware of the fact that, when she asked the question, this investigation could lead to a criminal charge. She was not discouraged from retaining counsel.

I want to ask all members again, particularly New Democrats—I brought a few books and I am going to recall something most members will not know anything about. That issue is important to me because 10 years ago one of the most distinguished and effective members of this Legislature, Jack Stokes, the Minister of Transportation's predecessor, long-term member for Nipigon and former Speaker of this Legislature, brought to this chamber the story of one Donald MacAlpine. Most members will not know about that, but the Minister of Health will know because the Ontario Public Service Employees Union played, I think, a very creditable role in that. I commend today, as I did then, the efforts of Mr Stokes, other members of the NDP and certainly members of OPSEU.

Very briefly, the story of Donald MacAlpine was the story of a young forester working for the Ontario government in the Nipigon area of northwestern Ontario who was directed by his supervisors in the Ministry of Natural Resources to make available to Buchanan Lumber timber in the Black Bay area that was either otherwise allocated or simply not there. As I say, the details of this are very nicely covered in Jamie Swift's book, *Cut and Run*.

I will never forget the incredibly passionate campaign the NDP led in this Legislature and in the courts of this

ince on behalf of this young professional forester who the whistle on his superiors because he said his ethics professional forester would not allow him to fabricate. He was not going to be corrupted by anyone, particularly someone higher up more susceptible to political pressure so that timber allocations that should not be made could be made. My point is that the NDP in 1981-82 led a valiant and, in the end, successful campaign because could not tolerate a young forester who had come forward and who was threatened with any amount of recrimination, including the loss of his job essentially, by the government.

Hon Ms Lankin: He was fired.

Mr Conway: He was fired, as the Minister of Health said. They said, rightly so, this was harassment that was completely intolerable. I agree with them now, as I agreed with them then.

I say to the member from Sudbury, who seems to be so much engaged in this, that I want her to think back to the MacAlpine case and I want her to think about what it would feel like if, as a member in the discharge of her duties, she were met one day in her constituency office by a detective inspector sent by Bill Davis or David Peterson. I can tell members what would happen. The chandeliers would shatter, the carpet would curl and Hansard would be aflame with the kind of indignation my friend in Cochrane can summon on a good day. No business could be done until heads rolled.

I want to say to the Attorney General, who is still the Attorney General, that we have seen this not once but on two or three other occasions. We have seen it with respect to a Ministry of Labour document, we have seen it with respect to a Treasury document and we have seen it with respect to a Ministry of the Environment document. They all smile and smile across the way, but I say that if the NDP is a party of double standards, they will take seriously what my friends the members for Halton Centre and Scarborough-Agincourt and others have said.

I can imagine what happened here; I can well imagine what happened in this respect. As the member for Halton Centre, I think it was, said, the OPP were not just out on a call one day and happened by her office in Halton. The former member for Brant-Haldimand and the now leader of the Liberal Party, the member for Bruce, were also visible. This was not fortuitous. It was not accidental. It was carefully orchestrated by someone in the government.

Hon Ms Lankin: No, not necessarily.

Mr Conway: She points, like Cicero, an accusative finger. I want to tell my friends opposite that they are responsible for what happened in this case. It has not happened once. If it were an isolated case I would say well done, good, but as I say, I think I know something about what happened.

I just want to put them on notice because, unlike some of my colleagues, I am a very forgiving fellow and a very understanding member of this Legislature. But on this subject they had better understand that if they are going to be true to the traditions of their party, it had better not happen

again. This is beginning to appear to be, and may in fact be, a policy of harassment, one that has been contrived by some of their hired hands who have some pretty clear records in terms of their past with respect to managing the public agenda. I do not know. All I know is that on three separate occasions now something has taken place which I do not recall too much of ever before; namely, the OPP has been out visiting members of the opposition who have happened to come by government materials.

Again I say to some of the new members, if that were the case, Stephen Lewis would never have been let in here. Day after effective day he stood up here with one disclosure after another.

Mr Curling: Morty Shulman.

Mr Conway: Morty Shulman is a perfect example. The NDP were pathfinders in the use of purloined government documents. That they should now be the party sending out the OPP to visit my colleague the member for Halton Centre shows a very different kind of New Democratic Party than I have been accustomed to.

I simply want to say to them that it had better stop. I am sure the Attorney General, as the chief law officer for the government and the people of Ontario, would want to take a leadership role in ensuring that whoever it was inside the government who gave these orders understands that they are not very appropriate on the basis of what I have seen; and not just one order, but as far as I can judge, at least three separate orders in three separate cases.

The New Democrats have been up to some other interesting things. I was struck the other day by my friend the member for Essex South, who raised the whole question of the Red Hill Creek Expressway. Again, just a brief observation: Who among us will forget that day a few months ago, almost a year ago I guess it is now, when, newly minted, the NDP stood there and said: "We have a very important announcement for the Hamilton-Niagara area, and that is that the \$70 million that has been spent and reviewed around the Red Hill Creek Expressway is not going to proceed. It is not going to proceed because we have made a moral decision and our morality tells us that it is a wrong decision."

Again, I did not happen to agree with the decision then, but I can understand how my friends opposite made the decision. It is no secret to any of us that there was strong opposition in the NDP, and I gather it was very strong among the members in the Hamilton area: "Elect us and we will stop this." They in fact did that.

They did it, I thought, in a rather clumsy fashion. We saw that the NDP members of the Hamilton city council were taken for a walk through the valley a few days before the decision. They talked to the then Minister of Transportation, among others, about the birds and the trees and the weather—and the bees, I guess—but they did not talk about the decision that was about to be made.

That is a wonderful kind of Nixonian quality: "I was downstairs in the parlour. I had no idea what was going on upstairs and I will not have it said that my integrity is to be impugned. We went for a walk and I want you to

understand we did not talk about what the cabinet was going to decide a day or two later."

We are all honourable members. We have to believe what each other says. In another place I think that would be called the politics of the credibility gap. At any rate, a moral decision was made, for reasons that were then understood and at least announced. That was the morality decision of 1990. We now have what appears to be an amendment, because there is mayoralty decision to be made in Hamilton in November of this year.

Hon Ms Lankin: Morality and mayoralty.

Mr Conway: Yes, that is right: from morality to mayoralty.

Mr Curling: I think they got confused there.

Mr Conway: I know it is hard on a Tuesday afternoon. What do we now see? We see that the NDP's morality appears to be weakening. We all heard the Minister of Transportation here the other day. Certainly if members have been reading the Hamilton Spectator and listening to the Hamilton media, it is very clear that the government's morality is somewhat discounted.

Hon Ms Gigantes: You are such a gossip-monger.

Mr Conway: I may be a gossip-monger, but I remember the member for Ottawa Centre in her days as the CBC major-domo in Ottawa. May I say this? If I am to be called a gossip-monger, then no higher praise can be offered me by the member for Ottawa Centre.

Hon Ms Gigantes: I didn't get so well paid for it.

Mr Conway: I have looked at the CBC pay rates and they certainly stand very well with respect to my rate, but the government rate must be better. Why else would the award-winning Gerry McAuliffe sell his soul for that mess of pottage? Gerry McAuliffe, the award-winning gumshoe from the Globe and Mail and from the CBC, who for a quarter of a century hounded and held accountable the Robarts government, the Davis government, the Miller government and the Peterson government like few legislators paid to do so in the House, without notice collapses into a puddle of, I do not know what, and sells out for I guess something other than a mess of pottage.

I want to come back to the point about the Red Hill Creek Expressway. It was a moral decision last year; it is now a political decision because the NDP caucus in Hamilton is feeling the heat. They want to be mayor. They want to be not just the gang of four; they want to be the gang of more, to control that council. Now they find that this albatross, their moral decision, has come back to haunt them and we have a situation that is quite interesting because, I repeat, last year's morality is something else in the fall of 1991.

1700

I was interested to see that my dear friend Jack Layton is engaged in a very interesting battle here in Toronto. He is now calling out those non-partisans like Judy Rebick to speak in the broad public interest, you understand, to perhaps decide certain issues in the Toronto mayoralty.

Speaking about interesting things the government is up to, the other day the Minister of Citizenship—she is not

here this afternoon—gave a speech here in Toronto. I was not there, so my comments are going to be based on press reports, but I am sure a lot of members were struck as was on the weekend to hear—I heard it on the radio, I think, on Sunday—that the Minister of Citizenship for the Ontario government decided and proclaimed at some meeting in Toronto that Jacques Cartier and Samuel de Champlain were racist. I thought that was interesting and I see some press reports that speak to that.

Hon Ms Lankin: Columbus too, I think.

Mr Conway: I was not thinking about Columbus.

Hon Ms Lankin: I think the news reports said Columbus.

The Acting Speaker (Mr Farnan): If I may interject, I would ask the member to speak through the Chair, please.

Mr Conway: Yes, but there is a din over there, Mr Speaker.

The Acting Speaker: I appreciate that and it is true. If members would refrain from interjections, it will help the member.

Mr Conway: At any rate, the latest pronouncement of the Minister of Citizenship would suggest that Jacques Cartier and Samuel de Champlain were racist, and she goes on to say some rather interesting things here about racism in Canada over the centuries. I was driving down on Sunday listening to this and I thought to myself, I wonder what she would say about one of my favourite Canadian politicians, one of the founders of the Co-operative Commonwealth Federation, J. S. Woodsworth, I think one of the most remarkable people ever to serve in public life in Canada.

In 1909, J. S. Woodsworth wrote a book called *The Strangers Within Our Gates*. It is a wonderful book dealing with the immigration issues of the turn of the century. In it he says some really interesting things. He talks about Galicians, a category of central Europeans at the time. He talks about Mormons in an equally interesting fashion. My question for the Minister of Citizenship is somewhat rhetorical: Is she planning to have a retroactive court martial and trial of J. S. Woodsworth? Perhaps in this age of political correctness, it may happen.

To be told that people living 400 and 500 years ago had different views and different values than we do today is to be told the obvious. That there is racism today, that there always has been, I think is a sad reality. Governments, organizations and individuals over the years have tried to mitigate that evil influence in humankind, but I repeat, I wonder if the member for High Park, the Minister of Citizenship, is planning to make a speech about the racism and ethnocentricity of James Shaver Woodsworth, founder of the CCF in Canada.

Hon Mr Hampton: Ah, come on.

Mr Conway: Someone says, "Ah, come on." I am simply responding to some pronouncements that have been made by leading members of the Ontario government.

repeat, there are few if any politicians for whom I have a higher regard than J. S. Woodsworth. I only regret this kind of socialist has almost vanished from this world. We saw one of them here today. I was delighted to see Fred Burr back, because Fred Burr in my acquaintance was a J. S. Woodsworth socialist, but I tell members that they are truly a diminished if not an almost extinct kind of socialist.

There are just a couple of other observations I would like to pursue. One has to do, interestingly, with my friend the member for Dufferin-Peel's observations around the land registry policy of the government. Now that, I have to say, Mr Speaker, is a sight to behold. It is tough. I want to thank the minister. She phoned me at home in the middle of the day the announcement was made with respect to Lanark county. I very much appreciated that. I told her that then, and I will tell her again now in her absence.

Mr Tilson: I did not get a phone call.

Mr Conway: The member for Dufferin-Peel did not get a phone call, but I did and I was pleased.

I do not want to go on unduly, but what we had in that regard was something quite interesting, because the government is having some difficulty around consultation and consistency. It is not totally unusual, because they are a group of good people. We all learn by experience. I have had my experience over the years and certainly know something of the trial-by-error method of education. What I saw in Lanark a couple of weeks ago was really something. I simply want to make the point that in Lanark county they truly think this government does not know what it is doing.

I do not want to get into the very important point the member for Dufferin-Peel has made with respect to what the government lawyer went to court to say. I can believe what happened. I am absolutely confident that everything he told me is true. I will go one step further—I think we all sort of disagreed on this in the committee—I quite imagine he made that without the minister ever knowing he thought it, meant it or was about to deliver it; my experience with government lawyers being what it is, I say to the Attorney General.

Interjection.

Mr Conway: Very good people, I want to tell you. I do not mean to denigrate the lawyers.

The Acting Speaker: Again, I would ask the member to direct remarks through the Chair.

Mr Conway: You and I are going to have a big problem, Mr Speaker. I am going to really contain my Irish temper this afternoon, but I repeat, you and I are on the verge of a very big problem. Maybe it is that there is just too much Celtic blood in both of us, but if you want this kind of policy, which as I say, through scores of speakers in this place, I do not really remember anyone applying your particular kind of Waterloo county vigour, you are the referee. I have dealt with referees of varying quality over the years, so I know the rules of the game.

I simply want to make the point that in Lanark county there is certainly a great deal of confusion around what happened. What happened was very simple: The govern-

ment had decided on a course of action. It did not seem to know there was a brand-new land registry office in Almonte, opened just 8 or 10 months before the announcement was made. Their new policy was that there could only be one land registry office per county. Almonte had to go. Perth was going to stay open. That was it.

Then, as the member who preceded me observed, on the morning of the general government committee's deliberation on this question, there arrived in Perth, the county seat in Lanark, a delegation, and we had a very significant development in government policy, namely, Almonte was going to stay open and Perth was going to close.

I just want to say to my very engaged friend, the member for Essex-Kent, that the Perth Courier of Wednesday, October 16, 1991, did not miss the point. It had a little editorial. "No Consultation, Nothing" is the headline. I am just going to read two paragraphs:

"When Marilyn Churley, minister of consumer affairs, announced Thursday that the Ontario government had decided to close the registry office in Perth and move it to Almonte, everyone was taken by complete surprise." The editorial then goes on to talk about the fact that this truly came out of the blue.

Quoting again from the editorial in the Perth Courier of Wednesday, October 16:

"There is a certain irony here, as the New Democratic Party built its platform on consultation, but it more than fell short on its commitment in this particular case. Not only did the government not consult those concerned, they are notifying all concerned a mere 14 days before the entire office closes in Perth," an office, by the way, that has four years of lease yet to run.

I just want to make the point that there is no little bit of confusion and bewilderment and concern in Almonte around this particular decision. The law society of south Lanark has written and the member for Lanark-Refuge has, I know, addressed a number of those concerns.

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But it was really something to see, so spectacular a reversal on the morning, almost at the 11th hour and 59th minute of these discussions, one that just simply came out of the blue and has left people in north Lanark very happy and in south Lanark no little bit confused. I suppose more than anything else, they are trying to figure out what the government is up to. They are not having much success.

I tell them of course: "Well, you know, consistency is really the hobgoblin of small minds. Flexibility is the new buzzword." What have we seen on auto insurance? What have we seen on retail store hours? What have we seen on garbage?

My friend the member for Etobicoke-Lakeshore, the Minister of the Environment, has been engaged in a calisthenics that is positively breathtaking. We all remember the speeches last year before the election and the moral commitments given by the New Democratic Party.

Whether it was in Marmora, whether it was in Whitevale, whether it was in Britannia, the NDP was moral. It was pure. They were better than those Grits and those terrible Tories. "Elect us and you will get a new day." A very significant cornerstone of that new morality

was the environmental commitment of the Minister of the Environment, the Premier and those other estimable characters who were going to make up the NDP candidates list.

What are we seeing now? Effectively the government's garbage policy in Toronto is exported out of the country. I never thought, quite frankly, that the New Democrats, who have been viciously opposed to continentalism, would embrace a continental garbage policy as their way out of their moral commitments made in the electoral campaign of 1990. But that is what we have. That is exactly what we have.

We have a policy where, quite frankly, the government is exporting Toronto trash to New York and anyplace else—

Mrs Sullivan: Ohio and Michigan.

Mr Conway: —Ohio and Michigan—where they will have it, where they will burn it, and of course where the emissions will blow across Elgin county and Essex county and all of those other pure parts of Ontario. But that is effectively the policy, let there be no confusion about it.

The poor old Minister of the Environment comes in here day after painful day trying to figure out a way to solve the conundrum of being so moral and so categorically so. So people in Almonte, Perth and Lanark county should not be overly upset when they look at a rather mundane policy, namely, land registry services, being characterized by confusion, contradiction and inconsistency, when I submit to them that when one looks at the big-ticket items—auto insurance being my favourite, because if there is a Holy Grail for the New Democrats in Ontario, surely it has to be that. If they can turn tail on auto insurance, then land registry issues are a mere trifle.

I want to make a very mundane observation about a government service that has the attention of a lot of people in my constituency. It has to do with the registrar general's office. It is a mess, I am sorry to report. It is a dreadful mess and it has been a mess for months. I do not normally use the time of the House to—

Hon Ms Gigantes: It has been a mess for years.

Mr Conway: Mr Speaker, your very excitable colleague the member for Ottawa Centre wants to say something. I think she did say something.

All I can tell the members and my friend the member for Ottawa Centre is that the good people of Renfrew pay a lot of taxes, and they are willing to pay those taxes because they know they are supposed to get services: health services, social services, legal services and, yes, birth certificates and marriage certificates. It puzzles people living in Eganville and Chalk River and Pembroke and Beachburg when a government with a \$52-billion budget and 90,000 full-time equivalent staff cannot deliver birth certificates and marriage certificates.

Mr Grandmaitre: They cash their cheques.

Mr Conway: Oh, the member for Ottawa East is right, they do admit that the cheques get cashed almost immediately upon their arrival in Toronto. That is no problem. But weeks and months pass—

Interjection.

Mr Conway: I am being deadly serious, and I suspect that my good friend, the minister of lands and forests, the member for Algoma, will be very sensitive to this because he has built a very good reputation over the years of providing 24-hour service on things like—

Hon Mr Hampton: Have you been here that long? Have you heard of the lands and forests?

The Acting Speaker: Order. The honourable Attorney General will refrain from interjection.

Mr Conway: I just want to make the point that in my constituency ordinary citizens are upset by the score. The ministerial association is upset. I just got a letter from the Roman Catholic diocese of Pembroke, and I have never received a letter from those good people in quite those tones. I am not going to read it because it is a very excitable letter, and I think my good friend the monsignor would not want to be quoted in this place.

He is sitting there as an administrator for a diocese that is both in Ontario and Quebec and he is having to tell priests from Quebec that they cannot marry friends in Ontario because they cannot get a temporary registration. I just takes for ever.

I have got lawyers writing to me. I have got constituency staff who are very quiet, efficient, tolerant people. When I go home on a Saturday, that is all they want to talk to me about. "What is going on? Can't you do something?" I know I am not the only one. I can well imagine—

Mr Bisson: Suffering from the system you put in place.

Mr Conway: My friend opposite says the system is suffering. Well, perhaps it is. I only make the point in a very plaintive way that if all of us are in a business where we tax for tens of billions of bucks and we cannot deliver birth certificates and marriage certificates and we cannot register my good friend from Gooderham who may want to come to Pontiac county, Quebec, and marry a good friend, then we should fold our tent and go away.

I make the point. I implore my good friends, the senior members of the Treasury bench, to do whatever they can to return that business to normal. For decades around here it has been one of the most efficient businesses we have ever operated. I have never had this problem before, but in the last six to 12 months it has become a very serious problem affecting the lives of a lot of ordinary people.

Just a few other subjects, a couple of which will be totally new I know to my friends opposite: One of them is Hydro policy. I just want to make a couple of—pardon me?

Mr Christopherson: Feel free to express yourself on that issue.

Mr Conway: I just might say a few things.

Mr Wiseman: We would not want to hold you back.

Mr Conway: Some people could hold me back, but the member would not be one of them.

I just want to say this. I have appreciated the developments that we have seen in the last five or six weeks with respect to the new government's Hydro policy. It is coming slowly and much more remains to be done, it seems to me.

have now got an agreement that the bill, which has moved second reading, will go out over the Christmas recess, the intersession period, for extensive public hearings, and we will come back and review that testimony and proceed with the bill through the final stages.

I want to simply say to my friends opposite that I hope, just in caucus but in cabinet, they have learned a lesson. I do not know what happened, but I know that these things can occur from time to time. But if there is a government policy that is important and absolutely central to the economic and social wellbeing of Ontario, it is surely Hydro policy that is contained in Bill 118.

That policy, since its introduction, has been characterized by contention, confusion, contradiction now and then. I have said on a number of previous occasions what the government wants with respect to Hydro policy is to have a more open and a more accountable relationship for the gargantuan public corporation, and particularly its relationships with the government, the Legislature and the people of Ontario. That, I think, is a highly commendable objective and one I support absolutely.

But we have seen some things in the last couple of weeks that I think really diminish public support for this government's ability to deliver on that promise. I want to simply review a couple of aspects. The whole question of the role of Mr Eliesen, the new chairman and chief executive officer, is one I have previously canvassed on a number of occasions, and I do not think it needs to be reviewed to any great extent this afternoon. But I was really struck when the Minister of Energy—who this day is about to hold a press conference in my constituency, I was told by his office in Pembroke just a few hours ago—came in here the other day and say: "Well, now, I've got some news. We're not going to be paying the chairman the \$400,000 we thought, but we'll now be paying him \$260,000."

Interjection.

Mr Conway: I am just simply summarizing the data that we have it.

Interjection.

Mr Conway: The members opposite are all welcome to get into this debate. I am sure there is another perspective. I just want to say to my friends opposite that they brought that bill forward through the committee stage at cabinet. It was brought presumably to a full cabinet meeting at least on one occasion, the imprimatur of the Treasury bench, the cabinet, was put on it and then it was brought in here in early June, so surely they had a discussion around its core principles.

I just make the point that in the first month of legislative scrutiny, they have backed down on the directive that was absolutely unbelievable and sweeping, a major principle of that bill, and I think they have moved in the right direction. My first question remains: How the hell did it ever get there in the first place? How did that happen?

Second, I will admit not to the same degree of importance but optically of significance, is the whole question of who hires and who sets the salary of the chairman and

chief executive officer. If I were advancing a policy that said I was going to make this a more open and accountable relationship, it seems to me I would not change that policy backwards to delegate that responsibility down to the board.

The other day we saw the minister bring back a second amendment. As a government, it now has announced its plan to take back that responsibility, and as a cabinet it is going to set that salary and most of the terms and conditions of the employment of the chairman and CEO. I congratulate them because it is the right decision, but I ask again, how is it that those two ingredients were ever allowed in that bill in the first place, since it was their policy to be open and accountable, presumably more open and more accountable than previous governments had been in that connection?

I make a final point on this. When the minister made his announcement the other day, I thought he deserved some credit. I went out into the hall. He had just had a scrum and he said: "On the salary question, it wasn't my decision. It wasn't the decision of the cabinet. It was entirely a matter of the munificence and the public-spiritedness of Marc Eliesen." I thought to myself, is this not an interesting development?

Before I get into that little story, I should add that it was stated by the Minister of Energy in a scrum, not in the House, that Mr Eliesen would be receiving the \$260,000 salary effective last Thursday, I think it was. Interesting.

In this House I was told by no lesser person than the Premier himself: "Oh, not to worry. We're going to refer these salary issues to the Ontario Energy Board. They're going to review it and the legislative committee is going to review it, and you can be assured, Mr Conway," he said here and elsewhere, "that Mr Eliesen will just be getting a deputy minister's salary until that point," namely the passage of the bill and the completion of the OEB review, which seemed to me not an unreasonable position.

I heard that from the font of all knowledge, Gerry McAuliffe's mouthpiece, the Premier himself, and then was told by a lesser light, the Minister of Energy, "Oh no, the Premier had it all wrong." The OEB might be having a review, the legislative committee might be having a review, but the salary had been decided, apparently definitively, on the basis of Mr Eliesen's munificence, on the basis of Mr Eliesen's civic-mindedness.

I just want to tell the members opposite, who are good people, who work hard and have a tough job, I hope they think a little bit about what this Hydro policy looks like. If I ever heard a transparent abdication of ministerial responsibility, it is this statement: "Oh, no, we didn't decide. Mr Eliesen, on his own volition, made this decision."

What does that tell us about the future of openness and accountability? I just simply say this has been a tortured and tortuous affair in just the first three months, and by my reckoning we have eight to 10 months yet to go. I really do look forward to that day in May or June of next year when we come back here to talk about the next phase of this endlessly fascinating NDP Hydro policy.

I want to talk a little bit about and conclude with some observations around the budgetary policy of the government,

because clearly no supply motion can be complete without some kind of brief commentary at this point with respect to how the government is performing, in so far as its budget plan is concerned.

Here again I say to my friends in the chamber that we seem to be riding quite a bronco. We seem to be gyrating from profligacy to restraint. Last year, newly minted, the Rae government could not do enough. Yes, there was a vague understanding that there was a recession out there.

Hon Ms Gigantes: We had a \$30-million surplus to work with last year.

Mr Wiseman: It was \$300 million.

The Acting Speaker: Again, I am going to ask the Minister of Housing to refrain from interjecting. There has been considerable noise from the government benches that on occasion has made it difficult for me to hear the member speaking. I would appreciate everyone's co-operation.

Mr Conway: I have to say, in a fairminded way, that the member for Ottawa Centre is right in her observation. Those terrible Grits left a Treasury that was a little more empty than had been indicated. I accept full responsibility for that. I have to tell my friend the member for Ottawa Centre that I suspect if some of that previous generation of wire pullers and manipulators had figured out that the recession was going to hit as hard and as deeply as it did, we might not have had a certain event around September 6. But she is absolutely right in indicating that the Treasury was more bare. It was not just bare, as a result of a very serious recession; it was not a happy budgetary situation that the new government encountered.

I thought it interesting a year ago that my good friend the member for Nickel Belt, on many occasions, went to some considerable pains to say: "You know, it really wasn't Nixon's fault. There was no clear evidence that this recession was as savage as it turned out to be. The projections just nosedived in that second quarter, and by the time we got into the third quarter it was even worse." I think the NDP engaged in some interesting bookkeeping around its first budget. I was particularly interested to see what it did about writing off some of the bad debts, so-called Stadium Corp debts. They seem to want to dine out on that account more than once. They wrote it off last year, but according to their latest speeches they want to resurrect it and write it off a second and a third time. I suppose it is not unusual for the business of politics.

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But I am serious. When the NDP took office, it was quite clear that it was a new day. They had a number of commitments they felt they had to make, and I have said, with some degree of sharpness in my voice, that the New Democratic Party seems to be very keen to settle accounts with its friends in the common front from the electoral campaign.

When I look at this year just passed, October 1, 1990, to October 1, 1991, some people have done better than others with the NDP. I am going to observe one more time that its friends from the common front in the electoral contest of 1990, the doctors, the teachers and the public servants, who were very famous in that electoral cam-

paign—I will never forget the sight of that group of people—dispassionate, disinterested souls, each one—how they embraced the New Democratic Party.

It appears to have been a worthwhile embrace. A year later the doctors, the public servants and the teachers have not done too badly. They have done better than the ordinary citizens working in my part of eastern Ontario. I am not, of course, here to lay any particular criticism on teachers, the doctors and the public servants. You take what you can get. I just had that feeling that the boomerang on the Treasury bench was somewhat weakened in its resolve in so far as dealing with its friends from the common front was concerned. I can only judge by results and the doctors and public servants and teachers have, in comparative terms, done not too badly at the end of year one. I think that simply ought to be observed.

Spending year over year—that is, the first year of the NDP budgetary plan—is up 13.4%. The wage bill for the Ontario public service is up 14.5% in one of the worst recessionary periods in 50 years.

Mr Runciman: Of course, you added 8,000 civil servants. That doesn't matter.

Mr Conway: Well, my friend from Leeds-Grenville has engaged the debate. I have to tell him that the Brockville Recorder was interesting the other day. I see that Frank Miller went to Brockville to toast the prize catch of the 1981 electoral contest, and they made a fetching couple, Frank Miller and the member for Leeds-Grenville. Boy, they were a fetching pair in the Brockville Recorder, a felicitous example of progressive conservatism. I can just imagine being down and out in Elizabethtown and facing unemployment and the prospect of not much food in the larder, and on a cold November day embracing the member for Leeds-Grenville. That would be my idea of an encounter of some particular kind.

At any rate, I want to come back to what the government did in its first year. There was a lot of spending. There was not very much restraint, and I do not expect social democrats to be very restraining. I see that in the end even in Sweden it is all over. Even the Swedes have reached a point—

Mr Bisson: It took 60 years.

Mr Conway: It took 60 years; the member is absolutely right. But it was quite a bounce when it came. My point is that in the first year we had a lot of pretty good spending. Then of course comes Honey Harbour and the Premier has an encounter himself. He has encountered something someplace. He might have encountered the ghost of the member for Welland-Thorold in some corner in York South; I do not know. But he gets to Honey Harbour and restraint is the order of the day. He made some very interesting comments at Honey Harbour and in the subsequent weeks of September.

We then get a salary freeze on members, and I say to that, "Hurray." We get a salary freeze for 1% of the Ontario public service, and I say, "Hurray." Then we get nothing on the rest of the public service. We do not get any of the even optical signs that some of those perks of power are going to be constrained.

Perhaps it was unwise, but do members know what I expected to see? I expected to see the Chairman of Management Board bring on a silver platter about 150 American Express cards and just lay them before the table and "This proves we really are serious. We as cabinet ministers and as deputy ministers are going to start buying our own lunches, maybe even our own dinners."

Mrs Sullivan: Drinks?

Mr Conway: No, there is a new policy on drinks and congratulate the Attorney General for his initiative. I just want to take the member for Perth out for a coffee to explain to her how it works. If it is a prestigious coffee, it will be a very different kind of luncheon. At any rate, I am waiting for the government, which is so committed to restraint, to bring forward some sign that the government is perhaps going to be reined in a bit. I see from the comments on the Attorney General that the hour may almost be at hand.

Hon Mr Hampton: I was wondering if you'd volunteer to give us your expense forms.

The Acting Speaker: Order. The cross-floor interjections between the member and the Attorney General are contributing to the debate.

Mr Conway: I will be very happy to. There is not a very Democrat with whom I would not be prepared to compare my expenses; in fact, I would welcome the opportunity. Sixteen years have taught me one thing: that if there is an oxymoron, it is "NDP restraint." It is a contradiction in terms. Fred Burr, oh yes. The kind of socialism Fred Burr represents is an old order. That is the Stanley Howles/J. S. Woodsworth tradition, and I do not think I could compete with that; I belong to a different generation. I am not with that bunch of profligates? Any day, anywhere, I am one of them. I am prepared to take a lot of lectures, but I will take a lecture on restraint, particularly in-house restraint, and in the NDP stretches my Christian charity to a near breaking point.

I do not say that in any kind of mean-spirited way, because I have to say that if ever there was a failure in this respect as government House leader, it was me. When I look back about what I tried to do down there and what that did to my reputation—if ever I had two wasted years, it was my experience of going down there and encountering that kind of opposition. I learned things from the NDP about how to spend public money that I did not think even existed in human nature. But I am getting off the subject.

Ms S. Murdock: No kidding.

Mr Conway: I want to say to my friend the member for Sudbury: No kidding. I will repeat that for her benefit: No kidding. The NDP, on internal parliamentary restraint: No kidding.

There will come a day when the ebb and flow of electoral politics will wash this government from office. It may be five years, it may be three years, it may be 10 years, it may be 20 years, but I want to be there the day they render the seals of office. I want to walk through that process and see what will have happened to some of those internal accounts, because I do not think there is an optim-

etrist working in Creation who could fit me with spectacles suitable enough for that experience.

We saw the statement, the mid-course correction, of the Treasurer two weeks ago on the subject of restraint. I have said before that the government did not do very much. In fact, it did very little. I noticed in the second-quarter statement issued last week that we had some interesting information. A couple of things caught my eye. The deficit is up by \$20 million. Corporate tax revenues are off by \$70 million.

But when I look at the operating deficit, I see that the current outlook suggests that the operating deficit is now off by \$172 million from the budget plan. That has been made up by a very interesting squeeze on the capital account, \$158 million, so it looks like the consolidated deficit then is just off by some \$14 million as a result of that. But anyone who knows anything knows you can only play that game for a few quarters. I suspect that the third- and fourth-quarter numbers are going to be as interesting this year as they were last year, and if they are, I think the Treasurer is going to be coming back with some very interesting news.

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I do make the point that a lot of people I represent, including a lot of people who I suspect voted for the NDP, expected that when the Treasurer stood in his place here a couple of weeks ago, we were going to see more real decision-making around restraint for this fiscal year than we saw. What we saw was a transfer of most of the pain into another fiscal year, and I repeat, when you look at that pain and realize that they are also putting off some of the capital expenditures to which they have committed themselves, the budgetary plan for 1992-93 gets more interesting as we speak.

I simply want to make the other observation that in my travels around eastern Ontario particularly, I do not sense that we are experiencing very much of a recovery. What I sense is that we have got what one wag has called the dead cat bounce, that there is not very much activity of a positive kind.

Last Friday afternoon in my constituency I invited 15 small business people in the west Renfrew county area to have lunch with me in Barry's Bay, just to talk about what they were feeling and what they were experiencing. These are good people all involved in small business in a typically rural part of eastern Ontario. I just want to report that I have never encountered a group which felt as beleaguered and as wanting in confidence about the economy as that group on that occasion.

Their concerns were not new. They are very upset about what they see as just out-of-control government spending at all levels. They have a sense that a lot of good programs that are well intentioned are not very well designed and they rain on the wrong part of the garden, if I can use that analogy, but a very real sense that the recession is not ending.

In that part of the province we have farmers and sawmillers and loggers. I am sure my friends opposite, like the member for Rainy River and others, will know that the resource economy in this province is hurting like I have

never seen it hurt before. Hundreds of people are losing their jobs every month, and we know only too well that the winter of 1991-92 does not suggest very much recovery for those sectors of the resource economy which are so vital to so many communities in northern, eastern and southwestern Ontario, where in many cases the mine or the mill is the only game in town.

I simply want to say that against the backdrop of this crisis in confidence, against the growing evidence that the hurt is real and palpable—it is now touching people who have not been touched by this kind of economic dislocation ever before in their lives. The bankruptcy numbers that are turned out every month indicate just how many people, individually and corporately, are being affected.

I suppose if there is one message that I bring from that luncheon meeting on Friday of last week, it is, “Do people understand?” “Do members of the government and members of the opposition,” my luncheon guest said last Friday, “really understand just how deep the hurt is, how widespread the pain that is now being felt?” That question was a real question.

There has been a suggestion in some quarters that politicians are insulated and isolated from that. I like to believe it is not true, but I think as we head into this winter, we are going to have to understand that there is going to be an expectation of leadership from not just the government but all members of the Legislature.

I thought there was a very interesting article in that connection the other day in the *Toronto Star*. I am not going to read it, but I would certainly recommend it to my friends in the Legislature. It is by George Fallis, who is the chair of the department of economics at York University. It is in the *Toronto Star* of October 28. The heading of the article is “‘Us Against Them’ Mentality is Hurting the NDP’s Effort to Govern.”

I thought it was a very interesting article, not so much because it dealt with the NDP, but largely I suppose because it asked people in public office to understand that some of the old ways, the old nostrums of not just social democracy but the Liberal Party and the Conservative Party, are irrelevant to the current realities, and we had better understand that. I will just read one paragraph:

“Ontarians will pay the taxes for high-quality public services and social protection if the government provides the services efficiently, pragmatically and with fiscal responsibility. The first months of NDP government are eroding this willingness as fast as the pernicious teachings of neo-Conservatives.”

I thought that was a very interesting observation. I sense that he may be right, and we had better all understand that we are going to be judged by a different standard. The boomers look at these deficits and they are concerned in a way their parents perhaps were not concerned 15 or 20 years ago. I do not know about my friend from Ottawa, but I am struck by the number of people in the age category of 30 to 50 who will raise with me the concern around the deficit, and they are not prepared to tolerate levels of deficit we have lived with in the last 10 or 15 years. Public policy, irrespective of whether it is

generated by social democrats or Liberals or Conservatives, is I think going to have to take that into account.

I want to repeat one line of this I think very excellent article, “Ontarians will pay the taxes for high-quality public services and social protection if the government provides the services efficiently, pragmatically and with fiscal responsibility.”

That leads me back to my rather mundane observations around marriage certificates and birth certificates. It sounds like a trifle, but to go home on a Saturday, with the problems we deal with here all week, and to meet somebody whose frustration has come to focus on: “Explain this to me, Mr Conway. Why has it taken three months to get a birth certificate, and I’m no further ahead now than I was three months ago?”

We may have our internal reasons about system difficulties, but the public expects that we are going to be able to deliver these services. I know the government, led by the ministers of Community and Social Services and Health—I cannot remember who now has the responsibility for long-term care. The public is going to expect that we are going to provide new services and maintain some traditional services for the elderly, but they are going to expect that we are going to deliver those perhaps rather differently than we have in the past, and more efficiently because we cannot and must not imagine that we can take as we have over the last 10 or 15 years. We have lost that option and I think it is going to mean a significant change to the way we do business here.

My constituents in Renfrew county want me to say to this government that they expect that it is going to behave as a social democratic government. They know they are not a Conservative government. They know they are not even a Liberal government. They are not unhappy, quite frankly, that they have abandoned some of their cockamammy electoral commitments. They look at their energy policy and their Hydro policy and just shake their heads at why they persist in a policy that for people in rural Ontario seems so iniquitous and so unfair.

A lot of my constituents would be very happy if this government rethought its energy policy, but they expect the Rae government is going to get serious with restraint. They would applaud the measures of a couple of weeks ago, but they would expect that restraint discipline to be much more pervasive throughout the operations of government. They expect that next year the year-over-year growth in the wage bill in the public service will be nowhere near 14.5%. They will expect the government is going to work not just with its friends in organized labour but that it is going to get serious about consulting with ordinary citizens who are not unionized, who are involved in small business, medium-sized business or, yes, even big business.

1750

Just a few weeks ago we heard from the Canadian Federation of Independent Business about its growing frustration around what consultation means with this government. My friend the member for Halton Centre will have to help me here, but I think John Bulloch went out o

meeting and said, "One may as well consult with the NDP government."

Mrs Sullivan: One meeting or 200.

Mr Conway: One meeting or 200: It does not appear like a difference.

I got a letter the other day from the agricultural group concerned about resources and the environment. It was headed by Mr Jeff Wilson, chairman of AGCare, Agricultural Groups Concerned About Resources and the Environment. I am not going to read the letter.

Interjection.

Mr Conway: I do not know who these people are. The member for Huron might be right. It may not be very accurate, but what it says about their frustration around consultation reminds me of what the CFIB is saying. It reminds me of the Perth Courier editorial. Just sitting around and listening to people across the table does not mean for consultation. Consultation does not, on the other hand, mean that you have to agree with everything people say. But clearly people expect there is going to be some meaningful in those dialogues and in that discourse.

When we hear of some of the new initiatives, when my friends out there putting their hard-earned money at risk to get employment and to start a new business hear about the government's plans with respect to amending labour relations policy they just become catatonic. They are much more likely to withdraw from making any investment in this province than anything else.

I say to my friends opposite what has been said by so many people before: If we are going to have those jobs, if we are going to have the wealth, both old and new, that we need to maintain the kind of social safety net we all need, we have to generate that wealth. That means people have to put their capital in the market, put it at risk in a way that, quite frankly, not too many are doing at present.

I am going to conclude my remarks by saying that 13 years have passed. We have seen a great deal from this government. We have seen a lot of turning. We have seen a lot of blinking. We have seen everything from morality to cynicism in politics. I will not try to get that word out of my mouth again. I think the initiation is over. This government is going to be judged now by what it does, by how it performs in a contemporary environment, whereas the good professor from York University has rightly observed, people are going to judge not just members of the Legislature, but members of the government by a new standard. That standard is going to be how efficiently, pragmatically and effectively the government can deliver those services we need, not just in the social policy area but in the economic development field within the context of fiscal responsibility. Before we grant interim supply to the ravenous appetite of this government, I thought we should observe some of these happenings in our Ontario.

Mrs Sullivan: I want to comment on some of the remarks presented by the member. They certainly are pertinent to the supply debate which is, of course, surrounding fiscal policy and which is an expression in itself of the economic and social policy of this government.

I am hearing from my constituents, and the member has alluded to this kind of reaction, that in fact we are seeing a confused, muddled government, making decisions and then backtracking on them; bringing forward issues that have not been completely explored through the consultative process; creating, itself, uncertainty which is leading to a flight of capital.

If we have to be concerned about anything in this time of economic distress in Ontario, as well as in the rest of Canada—the member has clearly pointed it out—it is where the new capital investment, expansion and wealth creation are going to occur and how the activities and the signals provided by the provincial government are going to contribute to the increase in capital investment.

We all know what has happened, of course, and the member has underlined it. Confidence in Ontario has seriously deteriorated through the actions of this government, whether energy policy through the Ontario Hydro bill, environmental policy and the uncertainties created by the Minister of the Environment and her various announcements, or economic policies and the continuing levels of debt and deficit we will see for the rest of the term of this government. These are all issues which are very serious matters and are going to affect the ongoing economic and social health of Ontario.

Mr Arnott: I am very pleased to respond with a couple of points with respect to the comments of the member for Renfrew North. I missed the first part of the speech but I heard the tail-end of it.

I would like to pick up on one suggestion he made about Mr Jeff Wilson who wrote to the Premier, I believe, with concerns on behalf of his group known as AGCare. I know Jeff quite well; he is a resident of my riding. He represents, through AGCare, literally thousands of Ontario farmers on the environmental issues. The government has to start listening to this group and has to start understanding what it is saying, and real consultation is going to be the order of the day. It does not exist at the present time.

I seem to recall when I was in my position as executive assistant to the former member for Wellington that the member for Wellington had to bring this question on behalf of AGCare to the House a couple of years ago when the former Minister of the Environment, the member for St Catharines, refused to meet with AGCare with respect to the concerns it had about the environment. It went on for quite a lengthy period of time in the past and I would like to bring that to the member's attention at this time.

Hon Mr Hampton: I usually do not get in on these two-minute contributions, but the member's speech brought back memories for me. You see, Mr Speaker, he spoke at length about profligate spending and money proliferating everywhere and so on.

I guess I want to put it in the form of a question. I have not been here for 16 years like the member for Renfrew North. I have only been here for four. But in my short history here I remember the previous government brought to the House a plan that created chairs of committees, vice-chairs, whips and deputy whips, deputy speakers and

associate deputy speakers, and all these things had a fairly hefty pay increase associated with them.

In fact when we sat down, I remember looking at it and saying to myself, "When you add up the number of cabinet members and all these extra positions, every member in the Liberal caucus is going to get a substantial pay increase over what every other member of the House gets." I thought to myself, "Now this member lectures us on lining pockets." All I say is how quickly the perspective changes.

The Acting Speaker: This may be an appropriate time to close the proceedings for today. Would you wish to respond before we close for the day?

Mr Conway: I think the procedure is we normally conclude these. That is the way it has been done. I want to say very quickly to my friend the Attorney General, I will not answer his question in a public way. I tell him that he should talk to David Reville and get the details, because I do not want to embarrass my good friend the Attorney General. He raises a very interesting point and I will give him a list of people if he wants to talk to those individuals about where a lot of that pressure came from. But Mr Reville is better able to provide for the education of the Attorney General in this regard.

I also want to make a point, that my friend from Wellington made the observation that the AGCare people have

had the problem of getting in to see the Minister of the Environment for some time. That may be the case. I was just struck by what they said in their letter as to how they thought the consultation process was skewed against them. That may or may not be a fair charge, but it fits into the piece. As I say, I did not raise it in isolation. When I look at other elements of this piece, it starts to look like some thing of a pattern.

In conclusion, particularly to my friends in the cabinet that I come back to my first point. I know the game in which they are now engaged as far as news management and management of the Legislature is concerned. They can do whatever they want. It is a very risky business. It is a game that other governments have played, generally with not much success, and they will ignore and manipulate the Legislature in so overt a fashion at their peril. Occasional like interim supply remind me that Robert Kennedy was right: There are ways of dealing with this kind of transparent manipulation.

The Acting Speaker: I want to thank all members for their co-operation in allowing the member for Renfrew North to conclude this section of the debate. The debate will resume with the normal rotation.

The House adjourned at 1803.

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elli, Robert (Ottawa West/-Ouest L)

topherson, David (Hamilton Centre/-Centre ND)
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Commercial Relations/Ap du ministre de la Consommation
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Grandmaître, Bernard C. (Ottawa East/-Est L)

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 PA to Minister of Revenue/Ap du ministre du Revenu
- Jordan, W. Leo (Lanark-Renfrew PC)
- Klopp, Paul (Huron ND) PA to Minister of Agriculture and Food (food)/Ap du ministre de l'Agriculture et de l'Alimentation (alimentation)
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- Lankin, Hon/L'hon Frances** (Beaches-Woodbine ND)
 Minister of Health, minister responsible for the provincial anti-drug strategy/Ministre de la Santé, ministre déléguée à la Stratégie antidrogue provinciale
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- Mammoliti, George (Yorkview ND) PA to minister responsible for the provincial anti-drug strategy/Ap de la ministre déléguée à la Stratégie antidrogue provinciale
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 Minister of Intergovernmental Affairs/Premier ministre,
 ministre des Affaires intergouvernementales
 y, David (Timiskaming L)
 Tony (Oakwood IND)
 nan, Robert W. (Leeds-Grenville PC) Chair, standing
 committee on government agencies/Président du Comité
 permanent des organismes gouvernementaux
 cht, Tony (Parkdale L)
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 Education/Président du Conseil de gestion du
 gouvernement, ministre de l'Éducation
 ohn (Mississauga East/-Est L)
 ra, Gregory S. (York Centre/-Centre L)
 g, Norman W. (Carleton PC)
 well, Chris (Etobicoke West/-Ouest PC)
 an, Barbara (Halton Centre/-Centre L)
 land, Kimble (Oxford ND) PA to Chairman of the
 Management Board of Cabinet; Vice-Chair, standing
 committee on finance and economic affairs/Ap du
 président du Conseil de gestion du gouvernement,
 vice-président du Comité permanent des finances et des
 affaires économiques
 ick, Anne (Scarborough West/-Ouest ND)
 , David (Dufferin-Peel PC)
 ull, David (York Mills PC)
 euve, Noble (S-D-G & East Grenville/S.-D.-G. &
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 of the Whole House/Deuxième vice-président du Comité
 plénier de l'Assemblée législative
 Brad (Brantford ND) PA to Minister of Industry, Trade
 and Technology with responsibility for trade and technology/
 Ap du ministre de l'Industrie, du Commerce et de la
 Technologie et délégué au Commerce et à la Technologie

Ward, Margery (Don Mills ND) PA to Minister of Government
 Services/Ap du ministre des Services gouvernementaux
Wark-Martyn, Hon/L'hon Shelley (Port Arthur ND) Minister
 of Revenue/Ministre du Revenu
Warner, Hon/L'hon David (Scarborough-Ellesmere ND)
 Speaker; Co-Chair, special committee on the
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 extraordinaire de l'enceinte parlementaire
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 Georgienne ND) PA to Minister of Tourism and Recreation;
 Vice-Chair, standing committee on resources development/
 Ap du ministre du Tourisme et des Loisirs, vice-président
 du Comité permanent du développement des ressources
 Wessinger, Paul (Simcoe Centre/-Centre ND) PA to Minister
 of Health/Ap de la ministre de la Santé
 White, Drummond (Durham Centre/-Centre ND) Chair,
 standing committee on regulations and private bills/
 Président du Comité permanent des règlements et projets
 de loi privés
Wildman, Hon/L'hon Bud (Algoma ND) Minister of Natural
 Resources, minister responsible for native affairs/Ministre
 des Ressources naturelles, ministre délégué aux Affaires
 autochtones
Wilson, Hon/L'hon Fred (Frontenac-Addington ND) Minister
 of Government Services/Ministre des Services
 gouvernementaux
 Wilson, Gary (Kingston and The Islands/Kingston et Les Îles ND)
 PA to Minister of Culture and Communications/
 Ap de la ministre de la Culture et des Communications
 Wilson, Jim (Simcoe West/-Ouest PC)
 Winner, David (London South/-Sud ND) PA to Attorney
 General, PA to minister responsible for native affairs/Ap
 du Procureur général, ap du ministre délégué aux Affaires
 autochtones
 Wiseman, Jim (Durham West/Durham-Ouest ND) PA to
 Minister of Correctional Services/Ap du ministre des
 Services correctionnels
 Witmer, Elizabeth (Waterloo North/-Nord PC)
 Wood, Len (Cochrane North/-Nord ND) PA to Minister of
 Natural Resources/Ap du ministre des Ressources naturelles
Ziemba, Hon/L'hon Elaine (High Park-Swansea ND)
 Minister of Citizenship, minister responsible for human
 rights, disability issues, seniors' issues and race
 relations/Ministre des Affaires civiques, déléguée aux
 Droits de la personne, aux Affaires des personnes
 handicapées, aux Affaires des personnes âgées et aux
 Relations interraciales

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Vice-Chair/Vice-Président: Vacant

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Legislative Assembly
Ontario

1st Session, 35th Parliament

Official Report of Debates (Hansard)

Wednesday 30 October 1991

Assemblée législative
de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le mercredi 30 octobre 1991

Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Numbering of Hansard

Effective with the opening of the Second Session of the 35th Parliament, Hansard issues and pages will once again be numbered on a sessional basis. Hansard numbering therefore will become consistent with Orders and Notices and Votes and Proceedings, and with other parliamentary publications throughout Canada.

For the last two years Hansard has been numbered according to the calendar year. Under this system, the numbering of issues and pages was restarted with the first issue in the calendar year, regardless of session or Parliament.

Under the new system, the sequence of numbering started in January 1991 will end with the final House and committee sittings of the present First Session. A new sequence will begin on the opening day of the Second Session, and each succeeding session, which will be issue 1 and begin with page 1. Committee reports likewise will be numbered from the first sitting of each committee in a parliamentary session.

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Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 325-7400.

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Depuis deux ans, le Journal des débats était numéroté par année civile. Avec ce système, la numérotation des numéros et des pages recommençait au premier numéro de l'année civile, quelle que soit la session ou la législature.

Avec le nouveau système, la numérotation commencée en janvier 1991 s'arrêtera à la dernière séance de la Chambre et des comités de l'actuelle première session. Une nouvelle série commencera le jour de l'ouverture de la deuxième session et des sessions suivantes : numéro 1, page 1. Les rapports des comités seront également numérotés à partir de la première séance de chaque comité pour une session parlementaire donnée.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 30 October 1991

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

FOREST MANAGEMENT

Mr Brown: The managed forest rebate tax program re-
sults in changes. I will make my case using a real example.

Peter Schlifenbaum is a young, European-trained fore-
ster. His dream is to provide a sustained yield of high-
quality hardware from his land in central Ontario. Peter
employs dozens of local people. He has invested thou-
sands of dollars in state-of-the-art computer equipment.
He has spent over \$100,000 on silviculture work last year
just to improve the production and quality of his
forest.

Peter is in the managed forest rebate program, as are
thousands of other private land owners. The program has
an upper limit of \$25,000, a very small portion of his tax
credit, which has increased to \$200,000 in just four years. It
has doubled.

Peter has a problem, an expense he cannot control. I
believe there is a remedy to the shortcomings of the rebate
program. I suggest that people enrolled in the program
must operate in response to some regulated or approved
plan, perhaps involving professional foresters. The plan
must be available to those sites which have a minimum
productivity and the ceiling on the rebate should be
linked to provide forest management if forest management
is being done.

ONTARIO HYDRO

Mr Jordan: I rise today to ask the Minister of Energy
to initiate a complete review of the operation, maintenance
and administration budget of Ontario Hydro. This is where
the costs are out of control.

In 1990, OMA costs amounted to \$1.9 billion, an in-
crease of \$393 million over 1989. This increase, according
to Hydro's annual report, was primarily due to inflationary
pressures on labour and other costs, higher program costs for
maintenance and restoration activities and increased pen-
sion costs.

Other factors contribute to the uncontrolled spending
in operation, maintenance and administration. Salaries
and the proportion of supervisory staff to clerical staff are
excessive. I have received numerous calls from constitu-
ents complaining of overstaffing in regional offices. The
management of the utility has become top-heavy. In my
riding of Lanark-Renfrew there are eight utility managers
and three rural managers reporting to a regional manager.
Residents are confused over who is responsible for what
action.

Inefficient management in Ontario Hydro is counter-
productive to economic development and new investment
in the province of Ontario.

CHILD CARE

Mr Kormos: This is art, and it is art with a message.
The artist in this case is young Jeffrey Carusetta of Col-
beck Drive down in Welland, and the caption here says it
all: "I don't want this man to close the day care centre
because I like playing with my friends."

J. C. Bald school, which is a place of day care for a
whole lot of kids like Jeffrey whose families have relied on
that day care centre for four years now, is being reclaimed
by the board of education. The Young Men's Christian
Association out of St Catharines has been running quality,
affordable day care there for those kids and now it is being
told, "As of September 1992, no more, gone."

These families are looking to this government for help.
These families are saying to the ministries involved, "We
understand that there have to be studies done, but our
children's futures cannot be studied in perpetuity."

These kids need day care. These families need care. We
have for the past four years, as a result of the partnership
between the board of education and the exemplary work of
the YMCA, facilitated and accommodated their needs.
Let's go one further and make sure that we do not leave
them hanging out to dry.

I am talking about people like Jeffrey Carusetta; I am
talking about people like Sandra Smelsky and her kids—
she lives over on Gadsby Avenue—and people like Lynda
Cooke of Newleaf Crescent whose kids go to J. C. Bald
day care too. They need our help. They need it now. They
cannot wait.

RETAIL STORE HOURS

Mr Daigeler: We have already talked at length in this
House about the many problems surrounding the NDP's
flawed Sunday shopping legislation. We have mentioned
the unfairness of the bill and how the NDP is unaware of
the economic realities of today's marketplace. Cross-
border communities are just one example of how the un-
fairness of this legislation will hurt many retailers in the
province.

Today we have evidence of another sector that faces
job losses because of the NDP Sunday shopping policies.
The Ontario Discount Drug Association has released today
the results of a study by independent auditors showing that
3,000 drugstore workers' jobs are unfairly in jeopardy
under the NDP policies because small drugstores are al-
lowed to stay open while stores with more than 7,500 feet
of retail space must close.

Why does the government policy on Sunday shopping
make a distinction between the size of stores? Why is it
that employees of large stores are forced to abide by a
common pause day but employees of small drugstores are
not?

The news conference today by the Ontario Discount
Drug Association points out another inconsistency in the
NDP Sunday shopping legislation. All these inconsistencies

together make us ask, where is the fairness, the equality and the justice that the NDP has promised in its new Sunday shopping legislation?

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RESIDENTS' PRIVACY

Mr Stockwell: Once again, I am compelled to make a statement in this House regarding a situation in my riding that has been mishandled by the Ministry of Housing.

Last week the ministry promised to send a representative to a meeting of the home owners of Wareside Road to discuss the ongoing problem between them and some of the tenants of a Metropolitan Toronto Housing Authority complex that shares a common property line. On Thursday the ministry sent the property manager of the MTHA complex. How this man could represent the Ministry of Housing in this dispute is beyond me and shows the complete lack of seriousness with which the Ministry of Housing regards this issue.

Some of the residents of this complex are making life miserable for the people living on Wareside Road. There are children living on this street who have never been in their own backyards without supervision from their parents. Finally, after 15 years, MTHA agreed that the only solution was to build a wall. Now, as a delaying tactic, MTHA is making the absolutely unreasonable demand that the residents pay for half the construction of this wall.

I would agree completely with the proposal if the residents were throwing back the steel bars, the chairs, the bicycle parts and other assorted human waste that is being thrown into their backyards. I would agree that the residents of Wareside Road should pay for half the wall if they were responding to the loud stereos at 2 am by turning their own stereos up, but they are not.

I am simply pleading that the Ministry of Housing solve this problem once and for all before it turns into something much more serious.

ANNIVERSARY OF ENCYCLICAL

Mr G. Wilson: This year, 1991, marks the 100th anniversary of *Rerum Novarum*, on the condition of labour, an encyclical of Pope Leo XIII that is considered to be the charter document of Catholic social teaching. The event was celebrated last May 15 at St Mary's Cathedral in Kingston with a special mass.

In the encyclical, Leo XIII speaks of workers who have been "given over, isolated and defenceless, to the callousness of employers and the greed of unrestrained competition." Fundamentally, he was concerned that economic wealth should serve people, not oppress them. Thus, among other things, he supported the formation of unions to protect and speak for workers.

In his stimulating sermon on the subject last May, Archbishop F. J. Spence traced the Catholic church's social ministry to the passion for justice of the Hebrew prophets. "It is evident," the archbishop said, "that the church's social mission is both old and new, both a tradition to be shared and a challenge to be fulfilled."

Regardless of our personal religious beliefs, I believe we as legislators can benefit from considering the central ideas of *Rerum Novarum* in our efforts to ensure that every-

one, not just the rich and powerful, is able to participate in the creation and sharing of wealth in our society.

On the 100th anniversary of *Rerum Novarum*, Archbishop Spence said: "We express our gratitude to those who have struggled so hard for social justice in the past. At the same time, we are concerned about serious social and economic changes that are presently taking place."

I suggest the tradition of social thought and action begun 100 years ago will help us address these changes in a democratic, just way.

OATH OF ALLEGIANCE

Mr H. O'Neil: I would like to ask the Premier if he would pay a little attention to this statement. I rise today to pay tribute to the Prince and Princess of Wales following their visit to Ontario. Their genuine concern about the quality of the lives of the people of this province was evident throughout the tour.

During these tough times, as we grapple with a series of economic and constitutional problems, it is useful for us to reflect on the strength and usefulness of institutions such as the monarchy.

I note that the Premier attended many of the engagements involving the royal couple. I am sure the Premier noticed that the Prince and Princess are held in the highest regard by the people of Ontario, who came out in droves to show their support for the monarchy. I trust the Premier has reflected on this experience during the past week, and I hope he has come to the realization that his decision to abolish the oath to the Queen for police officers was a mistake and does not reflect the wishes of the people of this province.

The Premier has said on several occasions that he is not afraid to acknowledge his mistakes. I urge him to admit that he has made a mistake, and I call on the Premier to reinstate the oath to the Queen for police officers and other public servants. All it takes is for the Premier to turn around and look at the Solicitor General and say, "Solicitor General, reinstate that oath." Will the Premier do that today?

COMMUNITY SERVICES

Mr McLean: My statement is for the Minister of Health, and it concerns her government's inappropriate use of the taxpayers' money.

The NDP Agenda for People claims the government will establish the appropriate supports to enable the treatment of individuals in their own homes or in facilities located in their communities. I believe that by establishing such community outreach programs as diabetes awareness centres, homemaker services, psychiatric care centres or home care nursing services, we would save the hundreds of dollars a day a hospital bed costs and lessen the strain on our already overburdened hospitals.

I would also urge the minister to consider converting vacant beds at the Huronia Regional Centre for the care and treatment of Alzheimer patients, psychiatric patients and other chronic care patients. This would be an effective use of vacant beds and free up badly needed beds for acute care patients at Orillia Soldiers' Memorial Hospital.

I am not suggesting that the minister's government spend more money. I am suggesting that her government spend the money that it has more wisely. Common sense tells us that economic opportunity, social justice and health care cannot be attained just by tossing money around. They should use the resources already available and spend taxpayers' money more wisely.

IMMIGRANT AND REFUGEE SERVICES

Mr Winninger: I am pleased to congratulate the Kurdish community of London upon the opening of London's first Kurdish community centre. London's 250 Kurds, one of the smallest ethnic groups in London, will share news, take part in educational seminars, find interpreters and help each other help those still suffering. Many London's Kurdish community have not seen their families for years, have no idea where they are or even if they are alive.

Although the world's focus on the plight of Kurds in the Middle East has diminished, persecution continues. While Saddam Hussein is still in power and their relatives in Kurdistan are still refugees in their own land, a community centre in London is vital to focus and unite those who have been forced to leave their native country.

For those who have been displaced from their homes, who have seen family, friends and relatives killed and who have survived starvation themselves, learning about services to help immigrants adjust to Canada is paramount. I am pleased to hear, therefore, the recent announcement of the Minister of Citizenship that immigrants and refugees living in London will be assured access to settlement and integration services, thanks to continued support for local migrant aid and multicultural agencies under the Ontario settlement and integration program.

Several agencies, including the London Cross-Cultural Learning Centre and Women Immigrants of London Counselling Services, will receive a total of \$240,000. I commend these agencies for the fine work they do in counselling, educating and providing support services to immigrants and refugees such as the Kurds of London.

VISITOR

The Speaker: I invite all members of the House to welcome to our midst this afternoon a former member for the riding of Lanark-Renfrew and indeed a former minister of the crown. Seated in the members' gallery west is Mr George Gomme.

STATEMENTS BY THE MINISTRY

PENSION LEGISLATION

Hon Mr Cooke: I am pleased to inform the House of my intention to introduce amendments that will facilitate significant reforms to one of the province's largest pension funds. Next month I will be introducing amendments to the legislation that governs the Ontario municipal employees retirement system, commonly referred to as OMERS.

I would like to describe the most important of these proposed changes. The amendments will allow OMERS to guarantee the indexing of their members' pension benefits. All pension benefits will be adjusted for inflation at the

rate of 70% of the annual increase in the consumer price index. The maximum rate of indexing in any year would be 6%. This year the board will also be able to increase pension benefits on an ad hoc basis by an additional 30% of the change in the consumer price index. In combination with the 70%, this will provide full indexation for 1992.

Another important amendment deals with the spousal survivor benefits. Formerly, if members married after retirement their spouses were not entitled to receive survivor benefits. The amendments will extend coverage to include spouses of members who marry after retirement. As well, all members will now be able to retire after 30 years of service without a reduction in their pension if they are within 10 years of normal retirement age.

I am pleased to report that this government has listened to OMERS's requests and recommendations and responded. The cost of providing these enhancements will come from the fund's surplus and from an increase of 0.5% in contribution rates from both the employers and the employees. In the past, employees could not purchase past service until the employer entered into an agreement with OMERS. Now individual members will be able to purchase past service in the OMERS plan independent of the employer's approval. The member must pay the cost of purchasing past service.

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Once the amendments are passed and proclaimed, employers and employees will share equally in any surplus or deficit. These and other amendments will bring the act into compliance with the provincial Pension Benefits Act and the federal Income Tax Act as well as provide enhanced benefits to members. Additional amendments will deal with general policy and housekeeping issues.

All of these amendments are important to the members of one of the province's largest pension plans, a plan with assets of \$11.7 billion. This is good news indeed for OMERS 230,000 pensioners and active members, who include municipal employees, local board employees and non-teaching staff of school boards. I am pleased our government is helping improve the quality of their lives.

I would like to point out that representatives from the OMERS board are with us today in the lower gallery.

RESPONSES

PENSION LEGISLATION

Mr Mahoney: I must say that it is delightful to finally have a statement from a minister of this government. It is about time that the Premier started laying some of the work that the government is doing out on the table for us to discuss in this place.

In a spirit of generosity, I also congratulate the minister because I think these are amendments that are overdue. They are amendments that indeed our government was working on and did not have the opportunity to introduce before we were—

Hon Mr Philip: Sure you were.

Mr Mahoney: Are they upset about something over there? I am trying to compliment them and they do not

even seem to know how to take a compliment, for goodness' sake.

It is nice that the minister finally brought out something that is beneficial to the 230,000 municipal employees around this province, and I congratulate him for doing that. I will of course, as is my responsibility, express some of the concerns I hope the minister will take into account in bringing in these amendments.

First of all, I would also like to congratulate him very much on extending coverages to include spouses of members who marry after retirement. I think that is a proper and appropriate thing to do in this modern society.

I find the contribution of 0.5% from both employers and employees interesting. I seem to recall an equal contribution in the teachers' pension when NDP members on this side of the House were screaming that our government was being draconian and unfair in requiring equal contributions by the employer as well as the employee, particularly the employee. At the time we thought it was the fair thing to do—we still do think it was the fair thing to do—but the members of that party of course mobilized that union to express some concerns, which is all fair in love, war and politics.

I am concerned about the timing of this. When I got the call that there would be an announcement by the minister, I was wondering if it would be with regard to the issues we were talking about yesterday, Mr Speaker, since this minister is also the House leader, and I thought that your meeting this morning had been so successful in resolving the differences that you might have finally got the House leader to agree to be a House leader, but it is not that.

Then I had thought with some hope that it might deal with the MUSH grants to municipalities, universities, school boards and hospitals, because they are waiting to hear and this is the time of year traditionally that those announcements are made. I wondered, being somewhat cynical from a number of years in public life, if the timing—particularly when you consider that it says, "Next month I will be introducing amendments"—had anything to do with giving a helping hand to the NDP members who are running for municipal council. Far be it from me to suggest that, but it did cross my somewhat simplistic mind that this might be an attempt by the minister and by the government to prop up Mr Layton and others who would like to say what wonderful things this government is doing.

I know that members of the board invest in many worthwhile projects and I know they are free to do that in the real estate industry. Generally, I support that kind of use of pension funds, but they should recognize and I think just be cautious—on behalf of my party I would encourage them to be cautious—about certain investments when it says here that they will share in the surpluses and the deficits.

That is fine in sharing in surpluses. I would hope surpluses would go into perhaps a reserve account for some long-term thinking in case at some point in time some of the real estate projects that have been invested in or some other investments in the private market go sour. Then they would have a reserve fund to call on in case this particular

pension fund, albeit one of the largest and best protected the province, gets into some trouble.

I would ask the minister to work along with the board in monitoring the surpluses to ensure that they be used appropriately shore up any deficits rather than making quick decisions and taking those surpluses out.

Once again I hear rumours that the MUSH grants, municipalities are going to be flat-lined. I hear of concern during the municipal election from my Mayor Hazel and many others—I have to make a tribute to Hazel; the Premier can understand that—that this government will ignore their needs. I congratulate the minister for the announcement, but I add those words of caution and sincerely hope he will come out with the grants to the municipalities and the other agencies in this province very soon.

Mr Stockwell: Commenting on the announcement today by the Minister of Municipal Affairs, I have some grave concerns about the pensionable earnings and pension plans that are operated by governments at all levels, be it federal, provincial or municipal. Every time an enhancement is made to a municipal, federal or provincial program retirement package there is a cost. Now, yes, the cost is split in this instance, but the cost must always be borne at least 50%, as in this case, by the taxpayers. When we speak of the taxpayers, we are speaking about municipal taxpayers today and their home ownership taxes, apartment taxes or whatever. They must bear the brunt of any increase in contributions.

From the conversations I have with taxpayers at the municipal level they are very concerned. They have very real concerns about the affordability of municipal taxes. They have real concerns about provincial taxes and real concerns about federal taxes.

I understand how a group can come down here and negotiate a package that improves their pension. I have no doubt in my mind that this group from OMERS would endorse this package because it improves their pension. But when we examine it from the view of what a taxpayer must now fork over—and I do not have the numbers in front of me right now—I would assume that will be considerable sums of money. For Metropolitan Toronto, for the city of Toronto, for the cities of Etobicoke, North York and Scarborough, it is going to cost them more money they do not have.

I have some concerns not only at the municipal level but at the federal and provincial levels on the affordability of pension plans, and future actuarial accounts are suggesting they may not be affordable. I think before everyone breaks their arm patting themselves on the back, when the Minister of Municipal Affairs comes into the House tomorrow and announces an enhanced retirement package for some municipal employees, the taxpayers out there must always remember one thing: Every time the government negotiates a package it does not cost the Minister of Municipal Affairs any money; it does not cost the NDP any money; it costs the taxpayers money. They should look long and hard at these things before they break their arms patting themselves on the back.

ORAL QUESTIONS

ONTARIO ECONOMY

Mr Elston: I have a question for the Premier. I note we have just had a press conference this morning about the potential loss of some 3,000 jobs in an industry that his legislation will make sure occurs. I noticed as well that the press is full of reports that he is about to spend hundreds of millions of dollars, however, to rescue some jobs at de Havilland. While all of us congratulate the steps taken to ensure the jobs are retained, I wonder if the the Premier can tell us exactly where the proposed strategy is that he announced on September 23 that was going to turn the economy around so that he would not have to lurch from the catastrophe to another?

Hon Mr Rae: I appreciate the question. I take it that the question is not intended as a criticism of the work this government is doing to respond to the particular crises we have as a government have to respond to. The question is one of how the government is dealing with all the time. The Treasurer is working away, as is the Minister of Industry, Trade and Technology, and there will be more announcements with respect to the government's economic plans this fall and through until the spring.

I would say to the interim Leader of the Opposition that the decisions we are making, for example, with respect to the negotiations we are carrying on with de Havilland, are fully intended to be constructive and to help not only in the saving of jobs but in the creation of new jobs. That is the situation in which we now find ourselves. We are having to respond to a number of crises as well as having to plan more effectively for the future. We are keeping on both tracks.

Mr Elston: He must have a foot on each track, and he is stretching things just a little bit to let us believe he has everything under control in this province. I have been in several areas where people are reeling under economic stress. I have spoken just recently with people in Barrie who wonder what is going to take place there since they have lost so many jobs in that community. There has been a response, although a loss of several hundred jobs is speculated for Kapuskasing, and a loss of jobs in Elliot Lake and a loss of jobs in Sault Ste Marie.

The Premier said here on September 23 that he was going to come forward with a program that would save the Ontario economy and help it to become more vigorous. All we have seen so far in any concrete fashion is the release of details of the labour relations material, an increase of some billion dollars in taxes that his government has taken, a release by the Ontario Hydro people to indicate that hydro rates are going to increase by 44% over the next three years as a minimum, all militating against the economic recovery he so boldly forecast as part of his statement.

When is the Premier going to tell us how those billion-dollar taxes, the hydro rate increases and loss of current jobs are going to fit into his economic recovery strategy?

Hon Mr Rae: I think the hard reality is that recovery is something we have to work at every day and I do not pretend it is easy at the moment. If he is looking for one

single announcement on one single day that is going to produce the solution to all our problems, or thinks anyone on this side is saying we have all the problems under control, those are not the kinds of claims this government is making.

What we are saying is that we are working very hard with the private sector and that we are working very hard with the business community on a number of projects right now which we are hoping will come to fruition shortly, and we will be making a number of announcements over time that will indicate some of the positive steps we can take as a government, even given the very difficult circumstances in which we now find ourselves as a province.

Mr Elston: We have not been asking so much about announcements; we have been asking the Premier to fulfil his promise given to the Legislature on September 23. The Premier promised a comprehensive strategy to tell the people at de Havilland where they fit, to tell the people in Barrie where they fit, to tell the people in Kapuskasing where they fit and to tell the people in Hanover, where there have been job layoffs, where they fit.

All I am asking the Premier is, when is he bringing that comprehensive strategy forward so we can see that he actually intends to start to keep one of his promises?

Hon Mr Rae: I will just say that when we made the announcement with respect to Kapuskasing, the Leader of the Opposition was critical of it. When we made other suggestions with respect to—

Mr Elston: No; story-telling.

Mr Bradley: Don't miscarry.

Mr Elston: We want a better administration of this House.

The Speaker: Would the leader take his seat, please. There is clearly a difference of opinion. Does the Premier have a further response?

Hon Mr Rae: I will say to the Leader of the Opposition that we have been making a number of announcements and working on a number of projects at the same time as we are trying to develop a longer-term strategy for the province. The kinds of steps we have been taking with the companies involved and the kinds of negotiations we have been involved with, as difficult as they are, we think are an important element in beginning to point the way to some positive solutions.

LAND REGISTRATION

Mr Conway: My question is to the Minister of Consumer and Commercial Regulations. It is one of great interest to people in rural Ontario and particularly today in rural southeastern Ontario.

It was on July 29 that the very distinguished Morrisburg lawyer, James Douglas Grenkie, QC, came before the standing committee on general government and argued quite effectively, I thought, that what the government was intending with respect to its land registry policy was not only unwise but that in his legal opinion it was illegal. Last night, in the General Division of the Ontario Court, Mr Justice Soubliere agreed that the Ontario government could not proceed because in his view that policy violated

the provincial statute, namely, the Registry Act. What can the minister advise as to her next move in this endlessly fascinating government policy?

Hon Ms Churley: I have to agree with the member that it is an endlessly fascinating subject. I have received word of the court case decision. However, I have not yet received a copy of the judge's reasons for this decision. When we do, we will determine whether or not we will appeal this decision.

Mr Conway: In the minister's statement of government policy read to this House on May 7, 1991, it was clearly indicated that in the case of the Morrisburg land registry office, which has served the good people of Dundas county in southeastern Ontario for almost a century, that office would in fact be closed some time in mid-November 1991. What can she advise the people of Dundas county as to her intentions with respect to that announced state, with regard to the fact that today is October 30 and that her plan was to close that office within two to three weeks' time?

Hon Ms Churley: I can advise four land registry offices today that, as a result of the decision, at least the closing of these four offices will be delayed.

Mr Conway: I take it this means the offices that were scheduled for closure in Morrisburg, Alexandria, Prescott and Russell are the four offices about which we are speaking. If I am incorrect, I am sure she would be quite free to correct the record.

With regard to what the Ontario court has now ruled and with regard to what her own government did in that spectacular move in Lanark county a few weeks ago, would she as the responsible minister not now agree that in light of all we have heard and all we have seen, this policy is, for the moment at least, a shambles, that it should be entirely put on hold while calmer heads prevail and that the interests of rural Ontarians, whether they live in Dundas county or in north Wellington or in south Grey, will have better treatment from this government on this very important local service?

Hon Ms Churley: As I have said before on this subject, these are tough economic times. I still think the decision to eliminate these kinds of duplications in these tough economic times has to be done. They are not easy decisions but I think it was the right decision, and we will proceed with the other closings on schedule.

1410

RETAIL STORE HOURS

Mr Carr: My question is to the Solicitor General. I had the pleasure of attending a news conference this morning that dealt with his Sunday shopping legislation. In fact, I also had the opportunity to go out on the steps during a protest this morning on that same piece of legislation. I heard from Monica McGregor, who spoke this morning and said that if their piece of legislation goes through, she will be going on welfare. I also heard from Tammy Perry, who said she is fearful that she will not be able to pay for her education if their piece of legislation goes through. I

also heard from Laurie Gillis, a single mother, who said, "don't want to lose my job."

On October 18 I asked the Solicitor General a question. I would like to hear him explain to those people, as well as to some of the people in the gallery from Hy & Zel's, from the Payless stores and from Herbie's drugstore, so those people can hear, what the Solicitor General is going to do to save the 3,000 jobs that are in jeopardy because of this piece of legislation. Will he tell them what he is going to do today?

Hon Mr Pilkey: I thank the member for the question. The reason the amendments to Bill 115 do not deal with drugstores is simply that Bill 115 does not deal with that issue. The drugstore question was covered by the provisions of the Retail Business Holidays Act passed under the previous Liberal government. We choose not to deal with this issue at this time, choosing instead to deal with protecting the rights of workers and ensuring the common pause day of some 760,000 Ontarians and their families who work in the retail industry throughout this province of ours.

As I said, we are concerned with amendments that deal with Sunday working and not with Sunday shopping. Drugstores have in fact been allowed to be open under the previous legislation, and as a result of our amendments to provide therapeutic, cosmetic, hygienic and pharmaceutical products in stores of a size of some, not 1,000 or 2,000 square feet, but 7,500 square feet. We believe that should be sufficient space to provide those kinds of services that were envisaged under the previous government's legislation and our amendments at this time.

The Speaker: Would the minister conclude his response, please.

Hon Mr Pilkey: I would add, however, that these particular stores will be allowed to be open during the Sunday days prior to Christmas during the month of December.

Mr Carr: The problem is that the tourism criteria still set 7,500-foot criteria; 7,500 square feet is in fact at issue with this piece of legislation. The Solicitor General may not know that. I know he is a new Solicitor General coming in late in the game, but that is a fact.

The problem is that those people do not care whether it is 7,500 feet, 3,500 feet or 12 feet. All they know is that the piece of legislation he is bringing in is going to destroy their jobs. The people who are going to have to go on welfare are saying to us, "What can we do to get the Solicitor General to act?" They had to come up on the front steps of this Legislature because they could not get the answers from this open and accessible government. They had to come to the front steps with their signs, protesting to get their answers here today.

I am going to ask the question that did not get answered by the Solicitor General during that time. I suspect he would like to speak directly to those 3,000 people, some of whom were here today, who will be losing their jobs. The question they are asking that they have never had answered is, why is the common pause day being applied to only 3% of the drugstores in Ontario? Why is it only going to restrict that 3%?

Hon Mr Pilkey: I believe I have already indicated in initial response that it is the government's view that matter does not fall within the four corners of this bill. was covered by the previous government. It is not up for discussion, nor can it be at this particular time. We believe 7,500 square feet, for the purposes that they are allowed to be open in the first place, surely must be adequate to serve the citizens of Ontario on Sunday.

Mr Carr: It would seem the Solicitor General does not care about the 3,000 jobs, and I suspect the people here can see that very clearly. He can talk about other pieces of legislation and he can talk about whose fault it is, but all we know is that they are going to be out of a job at a time when it is difficult to find jobs. As was stated today by Patricia McGregor, a single mother, "I'm going to be living on welfare because of this NDP government." That was her statement this morning at the press conference.

If the Solicitor General does not care about the jobs, if he does not care about the people who are sitting up in the night, every who are going to be out of their jobs, if he does not care because they are not the unionized Canadian auto workers that he cares about, if it is because of that, if it is because they are the people at the low end of the pay scale who cannot afford to have the big unions represent them, I would ask him a question regarding some of the seniors.

These particular drugstores offer discounts to some of the poor people across this province who cannot afford access to some of the drugs. Why should the public be denied access to drugstores whose average price for goods and services is 20% to 40% less than in the conventional drugstores? If the minister does not care about the jobs, what does he say to the poor people out there who do not have access because of his policies? What does he say to them?

Hon Mr Pilkey: The government has not changed the legislation. If there are jobs impacted, that is regrettable, but the government has not changed the legislation that has been in force in this province for a very considerable length of time.

As I have indicated, in terms of pricing in those particular stores, there will be drugstores that will dispense therapeutic, cosmetic, hygienic or pharmaceutical products to a extent of stores that are of a significant size, up to 100 square feet. I assume the needs of the public will be met to be served in stores of that size and that magnitude.

CASE OF BRIAN RAPSON

Mr Harnick: My question is for the Attorney General. As he is probably now aware, Police Constable Brian Rapson was acquitted of the three charges he was charged with, one of which was an indictment that the minister had preferred on attempted murder, which he had already been acquitted of earlier.

The minister has put this man's family through additional hell, through additional suffering and through additional agony because of that indiscriminate use of the preferred indictment. What is he going to do to alleviate the extra pain and the extra suffering he has caused this man's family? What is he going to do to pay this man's

expenses for the additional defence of attempted murder that he was wrong in preferring by way of indictment?

I remind the minister that in the past his Premier, when he was the Leader of the Opposition, advocated payment of legal expenses when a preferred indictment was wrongly preferred. What is the minister going to do to help this poor police officer?

Hon Mr Hampton: With respect, I am afraid I must disagree fundamentally with some of the statements made here by the member of the opposition. Now that the trial is complete, I can provide some further information.

The trial judge in this case was presented only a few days ago with a motion for a directed verdict for an acquittal, and in that sense to not put the issue of attempted murder before the jury. The trial judge, having heard the evidence, put the issue of attempted murder before the jury. In other words, the trial judge, having heard all the evidence, decided it was proper and appropriate that the charge of attempted murder should go before the jury.

Mr Harnick: You shouldn't have preferred the indictment to start with.

The Speaker: Order. The member for Willowdale is asked to come to order to hear the response to a question which he placed.

Hon Mr Hampton: The issue here is seeing that the process works, that the process of law is carried through. That is what has been done. I can only say again that the trial judge, having heard all the evidence, having presided over the case, decided it was quite proper and appropriate to put the charge of attempted murder before the jury, and that was done.

Mr Harnick: It is interesting that the Attorney General wants to see that the process works now, but when the process worked a year ago and the officer was discharged after a preliminary inquiry, the Attorney General was not content to let the process work. He has now tried the person twice and he has been wrong twice.

It is quite obvious that he is not prepared to do what his own Premier has advocated in the past and he is not prepared to do anything to help the officer, but by preferring this indictment, he has struck a chord against the morale of every police officer in this province.

What is the Attorney General prepared to do to repair his relations with police officers when he has again been wrong? He is not going to do anything for the officer. What is he going to do for police forces generally?

1420

Hon Mr Hampton: With respect, again I must completely disagree with the premise that has been stated by the member of the opposition. The trial judge had the question squarely before him when he received a motion—

Mr Harnick: You were wrong a year ago and you have been proved wrong now.

Interjections.

The Speaker: Order. The member for Willowdale posed a question, and I would take it that in order for him to get a response, both he and his colleagues will have to listen.

Hon Mr Hampton: Again, as I said, I must completely disagree with the premise that has been stated here by the member of the opposition. The question that was before the trial judge yesterday was exactly the question I was faced with. The trial judge was faced with a motion for a directed verdict of acquittal. He did not follow that. He did not accept that motion. He instead put the question before the jury, and that is exactly the question I was faced with.

The member of the opposition says this is something like a strike against the morale of police officers. Is he suggesting there should in effect be one law for the police and one law for everyone else? I would suggest that the process that worked here is exactly the process that works in all situations where someone is charged with this type of offence.

Mr Harnick: I am suggesting, with respect, that the Attorney General not get involved in second-guessing the justice system in this province when somebody has been discharged. That is what I am suggesting. I am also suggesting to him that he was wrong to prefer the indictment. The judgement that a jury has handed down today has indicated that he is wrong. On the basis of his logic, he will probably be appealing this judgement.

The Attorney General is not prepared to apologize to the officer, is not prepared to make restitution to the officer, as his own Premier has in the past suggested, and is not prepared to apologize to police officers generally for what he has done to their morale. I will admit he is not the only bad actor—the rest of his government has not been great either—but would he at least stand up here and admit he was wrong to prefer the indictment?

Hon Mr Hampton: I must say that it makes me unhappy when I see a member of the opposition take a serious legal matter and try to use that as an opportunity to score all kinds of political points across the spectrum.

Interjections.

The Speaker: Order. I ask the members to come to order.

Interjections.

The Speaker: It would appear that both the member and his colleagues do not care to hear a response. New question, the member for St Catharines.

PARLIAMENTARY PROCEDURE

Mr Bradley: I have a question for the Premier. In opposition and on the campaign trail, the Premier waxed eloquent about the right of the democratically elected members of the opposition to carry out their responsibilities and role unfettered by the repression of government. His government has sent the Ontario Provincial Police to interrogate the Leader of the Opposition and the Liberal member for Halton Centre because they received documents embarrassing to his government from public-spirited civil servants. Is the Premier not concerned that these efforts to silence members of the opposition and intimidate the civil service will diminish the open and democratic system that so many fought for in previous wars?

Hon Mr Rae: I would say to the House leader for official opposition that, first of all, I have read the debate and listened very carefully to what people have said over the last number of days, and I do not think anybody who has heard what has been said by the member for Halton Centre, for example, would be unconcerned. The concerns she has raised are real ones.

It was suggested the other day by our House leader that he would be quite happy to sit down with the other House leaders to discuss this situation. There is also, as I understand it, still an outstanding question of privilege which the member for Halton Centre has raised and which is supported by the member for St George-St David.

I would say to the House leader for the official opposition that I have a great deal of respect for him and for his experience. Certainly nothing that would be done by the government would be intended in any way to intimidate, harass or prevent a member of the opposition or a member of the Legislature from carrying out his or her responsibilities.

No police investigations have been ordered or directed by this government. I hope the House leader for the official opposition will at least recognize that fact. I have said it on a number of occasions and I say it again here today. I think there is ample ground here for some further discussion and consultation. Certainly this government has never ordered any police investigations, nor has the government any intention of intimidating or trying to silence anyone at all.

Mr Bradley: That is interesting, because my concern extends not only to members of the opposition but to members of the government. My concern is that the Premier's intimidation tactics are now being used against members of his own caucus.

If the Premier truly believes in the freedom of expression by democratically elected members of this House, why did he fire my Niagara colleague the member for Lincoln and my Niagara colleague the member for Welland-Thorold, in one case as Chairman of the standing committee on finance and economic affairs and in the other case as a member of the standing committee on administration of justice? Was it because the member for Lincoln dared to vote against a tax measure which would be damaging to his constituents and the member for Welland-Thorold dared to express the view that the Sunday shopping bill the government brought in is a betrayal of those who voted for the NDP in the last election?

Hon Mr Rae: First of all, the member's concern on behalf of members of our caucus is deeply appreciated, and I am sure, by all of us. I certainly appreciate that concern.

All I would say to the honourable member is that no one has been fired.

CASE OF BRIAN RAPSON

Mr Harnick: My question is to the Attorney General. It is a very simple question. A year ago he preferred the indictment, and I asked him at that time why he had preferred the indictment. He told me he could not tell me because it was before the courts. Now it is no longer before the courts. A jury has acquitted Police Constable Rapson.

asking the Attorney General again why he preferred indictment.

Hon Mr Hampton: We came to the same conclusion the trial judge hearing this matter over the last couple weeks came to. Senior criminal law counsel in the Ministry of the Attorney General looked at the evidence and came to the conclusion that there was sufficient evidence to go before a jury. The trial judge who heard this matter over the last two weeks, who heard the evidence, was presented with a motion for a directed verdict and said that there was sufficient evidence here with respect to attempted murder and that this evidence should go before a jury.

With great respect, the decision we made with respect to referring an indictment has, I think, been vindicated by the trial judge.

Mr Harnick: That answer just shows the capriciousness with which this preferred indictment was brought.

Mr Mahoney: Come on, we're politicians, not lawyers. What does that mean?

Mr Harnick: Malice. The member for Mississauga just asked me what that means. I will describe it as malice.

I put it to the minister that the trial judge's charge to the jury was absolutely clear and virtually instructed the jury to acquit him on the attempted murder charge. The charge to the jury was crystal clear that is what the jury must do.

Mr Wessenger: On a point of order, Mr Speaker: He is imputing the motives of another member and saying there is malice in his actions. I very clearly heard that.

The Speaker: I listened very carefully. He did not accuse the minister of malice; he said the decision was capricious. He did not accuse the minister.

Mr Harnick: In addition to malicious, it was arbitrary, because the minister has stood today and again refused to tell us what reasons he used one year ago. He is relying on the fact that a judge may have done something during the course of a trial one year later. I ask this minister to come clean and tell us what reasons he had one year ago after he was discharged by a judge who heard the evidence. I want to know for what reasons he preferred indictment.

Hon Mr Hampton: As I said the first time—and I remember the member was preparing his next line of political attack, so he did not hear it—when we looked at the evidence in the case, we were of the view that there was sufficient evidence to put the charge of attempted murder before a jury.

Interjection.

The Speaker: Member for Etobicoke West.

Hon Mr Hampton: The trial judge was presented with that motion a few days ago in this case and made the decision we did, that there was sufficient evidence of attempted murder to go before a jury.

VITAL STATISTICS REGISTRATION

Mr Malkowski: I have a question for the Minister of Consumer and Commercial Relations. Many of my constituents use the services of the office of the registrar general to obtain birth certificates. I know the office moved to Thunder Bay earlier this year. Can the minister tell us what has been happening since the move?

Hon Ms Churley: First of all, I would like to say that I know a lot of citizens of Ontario have been inconvenienced by this move and there have been long line-ups and a lot of inconvenience, and I feel very badly about that. There has been a lot of activity over the summer and in fact we hired summer students and put in extra telephone lines and virtually worked around the clock to deal with the backlog.

I think it would help people to understand if they knew the scope of what we are dealing with. The staff, which is mostly new, receives on the average over 18,000 requests for registration and certificates in a week and, on top of that, 1,000 telephone calls. I am continuing to monitor that to try to find new solutions for dealing with that kind of tremendous workload.

Mr Malkowski: Some of my constituents have been waiting a long time to get the documents. Can the minister tell the House why there have been such delays?

Mr Bradley: Must be the previous government.

Hon Ms Churley: The previous government, no doubt, for making the decision. I thank the member. I do, however, take responsibility; it is my responsibility now.

As I said, the backlog from the move was just tremendous, and over the summer we hired a lot of students to deal with that. We have extended the hours in Toronto to benefit working people more. We are open from, I think, 7 or 8 in the morning to 8 in the evening, and we have put in new telephone lines and done a lot of things to help the situation. We have eaten into the backlog significantly, and in fact some members have told me they are seeing an improvement. But I will continue to work on this very important issue. It is certainly one of my priorities.

RACE RELATIONS

Mr Poirier: I have a question for the Minister of Citizenship regarding her statement about Champlain and Cartier. The minister has made clear her government's commitment as well as her own personal commitment to the elimination of racism and prejudice from our society and to the enhancement of multicultural and cross-cultural understanding in Ontario.

The Toronto Star recently reported that the minister stated that Jacques Cartier and Samuel de Champlain, Canada's first European explorers, were racist. Of all people, given her mandate, does the minister believe her gratuitous statement will contribute positively to linguistic relations in this country, given the sensitive state of affairs that currently exists?

Hon Ms Ziemba: I appreciate being asked the question because I would like to set the record straight. First of all, unfortunately the reporter was not at the meeting and has taken the context of my speech out of order. What I

talked about was the systemic racism that has existed in this country. For instance, let me explain about talking about how we interned Japanese Canadians during the Second World War. All parties have agreed that it was not a thing to do, that unfortunately we showed racism in this country. We interned Italian Canadians and Ukrainian Canadians during the First World War as well. In that context, we have unfortunately displayed systemic discrimination and racism in this country.

We also have heard from the Canadian Human Rights Commission how one in 10 Canadians faces racism and discrimination in this country. We are committed as a government, and I think all of us in this House—I know I have spoken to members in the opposition parties—want to make sure we have a society that is truly free of racism and discrimination.

The Speaker: Would the minister conclude her response, please.

Hon Ms Ziemba: This is a very serious question, for myself and for the honourable member opposite, so I would like to respond.

We have to make sure, if we are going to eliminate racism, that we understand the problem and that we admit we have had a problem in the past. Now that we have admitted the problem, we can try to—

The Speaker: Would the minister take her seat, please.

Mr Poirier: It would be interesting to know what, in reality, was mentioned about Champlain and Cartier. I think Jim Coyle from the Ottawa Citizen had a very good history he wrote about what may have happened with Champlain and Cartier recently.

No one can deny that racism has existed in Canada for a very long time, and unfortunately it continues to exist today. We also know there is an incredible backlog at the human rights commission, but I am not so sure that to bring forward the dossiers of Cartier and Champlain would really resolve the problem. I think our role as politicians is to be careful of what we say, because between the message emitted and the message perceived there may be a heck of a gulf, and we have a mandate to add water, not oil, to potential flare-ups.

What is to be gained by making statements of this type if they are going to be wrongly perceived like this? How will her remarks assist or enhance cross-linguistic and cross-cultural relations in Ontario?

Hon Ms Ziemba: Again I must say that unfortunately, as has been experienced I am sure by all members of this House, the tabloids are not always correct, and the tabloids were not present at this particular meeting. That is an unfortunate experience. If this was taken out of context, I cannot apologize for the tabloids.

I reiterate to all members of the House that I did not take, nor would I have taken, anyone personally to task for displaying any form of racism or discrimination. What we are talking about is the systemic problems that have existed in this country and how we are going to find solutions to correct that and to make sure that does not happen again. If we cannot look at past experience and learn from

it, we certainly are never, ever going to eliminate racism. I know that members share with me the fact that we must make our society, not only for our children but for our grandchildren, a place where everybody lives harmoniously and in peace, with equity and justice for all.

1440

WORKERS' COMPENSATION BOARD

Mrs Witmer: My question is for the Minister of Labour. In 1990, the unfunded liability for the Workers' Compensation Board increased by 7% to \$9.1 billion. The 1990 annual report from the board stated that the unfunded liability would peak at \$8 billion and could be eliminated by 2007. Now the \$9.1-billion unfunded liability is projected to grow to \$10 billion in 1992 and \$12 billion by the year 2000. The current estimate on the elimination has been pushed back to the year 2014. Could the minister explain why the unfunded liability increased by \$1 billion in one year, from 1989 to 1990?

Hon Mr Mackenzie: The situation with the unfunded liability of the Workers' Compensation Board is one that has been with us since 1972. The first steps to try and deal with it took place in 1984. The current increase in the unfunded liability is a direct result of the economic climate we have in the province today and the number of closures we have seen and the number of workers who are out of work. That is a situation that basically we have inherited but we are currently looking at options to take care of this situation.

Mrs Witmer: I appreciate the minister's response, but I am not sure that adequately deals with the increase in the unfunded liability total.

Last week the WCB launched six months of hearings to determine whether the board should compensate individuals who suffer from chronic workplace stress. We know that is going to increase the costs. The Employer Advocacy Council, which is based in Kitchener, has sent me a letter. They report that in 1992, employer assessments are going to increase by 21% to reduce the \$9.1-billion unfunded liability and an additional 27% to cover administration and program costs. The employers in the province are desperately concerned about the province's ability to maintain an affordable employer-financed system of workers' compensation in the future, and with good reason.

The Speaker: Would the member place her question?

Mrs Witmer: This dramatic increase in WCB rates is going to prompt yet more businesses to close or move out of the province. It is going to contribute to further job loss.

Given the fact that there are too many government policy decisions being initiated without any consideration of the impact on business, I ask the minister to share with this House what research he is doing. What economic impact studies has he done to take a look at the potential inclusion of workplace stress under the WCB on the assessment rates and the unfunded liability?

Hon Mr Mackenzie: I should inform the member that the study on workplace stress—and there have been a number of cases that have been granted but there has no

on a clear policy on workplace stress—is one that has been initiated by the board itself. They are doing a study on it. They have not taken action and will not until, I think, following the study and then, probably, discussions with my ministry. That is in the process of being looked at to whether or not a case can be made for Workers' Compensation Board payments for stress items.

In terms of the unfunded liability, the board is currently looking at that issue and has drawn to my attention a number of potential proposals. When it is prepared to make an official recommendation, we will sit down with it and discuss what we may have to do on the issue.

ASSISTANCE TO TOBACCO FARMERS

Mr Jamison: My question is to the Minister of Agriculture and Food. The members of this House are well aware of the tremendous amount of strain that has been placed on tobacco farmers as a result of increased taxes and the imposition of health regulations. The Minister of Agriculture and Food had announced earlier in this House that his ministry would be meeting with the federal government to discuss other options and adjustment programs which may be considered to address the needs of the tobacco community and tobacco growers.

Since this is a very important question to the riding I represent, Norfolk, I also say that it has an impact on the communities there. As the minister knows, I have expressed my concern about this matter before in this House on other occasions with him, and about its effect on the local economy of Norfolk and the people who live there. I would like to ask the Minister of Agriculture and Food when we can expect to hear a favourable announcement with respect to assistance to this community.

Hon Mr Buchanan: I would like to thank the member for Norfolk for his question and commend him for the excellent work he has done on behalf of the province's tobacco farmers. Let me also say that this government recognizes the concerns of the tobacco industry because of the taxation and health-related concerns the member mentioned. We intend to address those concerns.

I have met with the tobacco board as a group and I have also met with the tobacco board chairman to discuss proposals. In light of that we have set up a committee, which comprises my staff, their federal counterparts and tobacco board members, to have discussions around different kind of assistance options we should look at. As members know, when it comes to health and agriculture, it is a provincial-federal matter, so it is very appropriate for the two governments to share the discussions and look at what kind of assistance we can provide to this industry.

Mr Jamison: Has the committee been working on putting together a long-term solution in support of this concern, since in my opinion long-term assistance will be needed to help these farm families adjust to the future market for their legal product? I think this is a major concern with the ongoing view, looking at assistance in this

Hon Mr Buchanan: The tobacco board has submitted preliminary funding requirements which discuss the needs of five years. The committee we have established is

looking at long-term funding and hopefully we can address some of the requests we have been asked to assist with. We are looking at how we can assist tobacco farmers exit from growing tobacco and that is a shared responsibility, as I mentioned. We are also looking at how we can change the requirements for eligibility of any kind of reduction program. We recognize there are some concerns about alternative crops that can be grown on tobacco lands and we need to address those as well.

The second part of our way of addressing this problem is to look at market adjustment. We need to look at the export market for tobacco, which has a reduced price, and we need to look at ways of assisting farmers to adjust to that lower price in the export market.

RACE RELATIONS

Mr Curling: My question is to the Minister of Citizenship, the minister responsible for human rights and the minister who is giving all these history lessons. Let me bring to her the present situation.

It was about six months ago—to be precise, it was April 9—that this minister promised to produce, as she stated, clear and defined guidelines to prevent employment agencies from discriminating against job applicants. The following day, April 10, 1991, the Minister of Labour promised to put together legislation including tougher auditing of agencies by the end of June. Despite the explicit promises made six months ago by both ministers, the Toronto Star today reports that the chief of the Ontario Human Rights Commission has been forced to make public an appeal to the government to enact a stricter law governing employment agencies.

Let me plead on behalf of the many people who have become victims of such discriminatory practices. Why has the minister failed to keep her promise to produce clear and definite guidelines?

1450

Hon Ms Ziemba: I thank my colleague for asking this question because I know he has suffered discrimination, and he has shared that with me. I understand his concerns as we all do in this government.

What we have to add to that history lesson he just unfolded for us was that when the whole issue came before the Ontario Human Rights Commission I said I would wait for the ruling. In the meantime, the Minister of Labour and I have been meeting with many concerned groups. In fact, we funded a very important conference that addressed this issue. Out of that conference came some very good, interesting comments and recommendations. In that framework the Minister of Labour and I, now that the commission has come forth with its ruling, can move forward to develop that legislation.

We have not been inactive; we have been working very hard to make sure we get the proper guidelines in place and that we bring forward people's ideas from the community. In those terms as well, we have made sure that we are very shortly going to introduce employment equity. We have also introduced a new strategy to combat racism in Ontario in the Ontario anti-racism secretariat. I think we are encompassing all these ideas—

The Speaker: Would the minister conclude her response, please.

Hon Ms Ziemba: Yes, I will. I am sure there is a supplementary and I will be given an opportunity at that time to expand this a little further.

Mr Curling: I cannot believe this minister is saying she has to wait until the Ontario Human Rights Commission brings forward its recommendations on the two cases. Of course I have been discriminated against in this province. What I am appealing about are the hundreds of people who are subject to this daily, and the minister is going to wait until the two cases are heard by the Ontario Human Rights Commission. What if something happens today? Is the minister going to wait for those cases to be heard by the Ontario Human Rights Commission? This is obviously a do-nothing government.

To quote the Toronto Star, "That which it has said it would do, it does not; that which it does, it changes; that which it promises, it postpones." What is obvious is that the minister has failed to advocate strongly enough at the cabinet table. I do not think the people of this province have a strong voice at the cabinet table to fight for their cause. Will the minister make a specific commitment in this House that her promise and that of the Minister of Labour will be kept before the end of the year, or is it another in a long list of promises that will be broken?

Hon Ms Ziemba: I did not say, first of all, that I was waiting for the commission and that we would continue to wait for the commission's report. I said we are developing other guidelines as we were waiting for that report. We have had conferences. We have dialogued with the community. For the first time people were able to come to a conference and express these ideas and give us input on how they felt. In fact, nobody has ever wanted to talk about racism, they have always wanted to hide it under a carpet. This is the first time government has been open and honest about racism existing, and we are going to stamp it out.

The other issue is that we have kept promises. We are introducing mandatory legislated employment equity. We have come through with many initiatives in this government that have addressed inequities in our society and we will continue to do so. I hope my colleagues on the other side would work with us to eliminate discrimination instead of making this a political matter, and share with us their concerns and work—

The Speaker: Would the member take her seat again, please.

AUTOMOBILE INSURANCE

Mr Tilson: I have a question for the Minister of Financial Institutions. Earlier this month I asked the minister when we would see his bill on auto insurance. He replied that he would announce later this month, which is now, a policy statement, to be followed by a bill some time later, which I assume would be next month. There seems to be some speculation that this policy paper has been scrapped. The only sign I can see of a policy paper, the one we appear to be aware of, is the one issued exclusively to the

Insurance Brokers Association of Ontario; not to the media and certainly not to this House.

We are now at October 30 and we still have no discussion paper. Is the minister still planning to release a policy paper prior to the introduction of auto insurance and will he be doing it in this House or in some other forum?

Hon Mr Charlton: Let me respond first to the part of the question the member raised regarding a discussion paper released to the brokers' association and to the association exclusively. I have heard several accusations over the course of the last couple of weeks about a discussion paper that has gone to the entire insurance industry and now about a discussion paper that has gone exclusively to the brokers' association. There is no discussion paper. The brokers' association has not received the discussion paper. The insurance industry has received no discussion paper, as others who have held press conferences have implied.

It is still our intention to proceed with a discussion paper. As the member well knows, in terms of the timing in this Legislature, the time lines are getting very tight and unfortunately I am running a couple of weeks behind schedule, but we intend to release both the discussion paper and the legislation this fall.

Mr Tilson: The wheel seems to be grinding to a dead stop. Certainly this government in the last election promised a publicly owned auto insurance industry. It also promised full access to the courts. It would do away with the Liberal law of the threshold test. The member Mr. Welland-Thorold spent many hours telling us how terrible that was. Now it appears both those promises are going to be discarded and the government is going to do something else, and that would include the abandonment of the economic loss issue.

There have obviously been strictly exclusive discussions with the insurance industry alone, an industry that has made \$1 billion in profit since the Liberal bill was introduced. Can the minister tell us what the insurance industry is giving the people of this province in return?

Hon Mr Charlton: I am not sure I can respond to the part of the question that relates to what the insurance industry may or may not be giving. We have had consultations with the insurance industry; that is correct. We have also had consultations with every victims' group that has made itself available. We have met with every lawyer's group that wished to have input on this issue. Just let me say, in wrapping up, that the implication raised by the member a few moments ago about the economic loss issue now being dead or off the table, whichever words he uses is as incorrect as the rest of the things he has raised. We are proceeding to deal with economic loss.

GAS LEAK IN PICKERING

Mr Wiseman: I was getting a little worried that I might not get this question in with all the extensive preambles. My question is for the Minister of Natural Resources. My riding—

Mr Harnick: Is this a question about the dump they're putting in your riding?

The Speaker: Order. The member for Willowdale could be aware that if a member causes disorder in this house, the Speaker will have no choice but to name that member. I am asking the member to come to order.

Mr Wiseman: This is a very serious question for the residents of my riding. Last summer a house blew up in an area just north of a subdivision because methane gas was seeping into it. Prior to that, the weigh station at the Rock West landfill site had exploded because of methane gas. Yesterday it was revealed that there is a methane gas leak in a subdivision. Is the Minister of Natural Resources aware of this and what is he doing?

Hon Mr Wildman: This is a very serious matter. Yes, indeed we are aware of the gas leak. During the course of the drilling of a well on Pine Grove Avenue in Pickering, natural gas was hit at about 110 feet in bedrock. There was no fire or explosion. Under the terms of the Petroleum Resources Act, the Ministry of Natural Resources is responsible for issuing permits for the exploration, but in this case there was no gas anticipated. It is not an area where we would normally expect to find gas, although there have been some occurrences in the past. The fact is that the gas has stopped flowing, the owner will ensure the well is cemented to stop the leak and MNR inspectors are on site today to ensure the work is satisfactorily completed.

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The Speaker: The time for oral questions has expired. Petitions. Petitions.

[Interruption]

The Speaker: We were at petitions. I recognize the member for St Catharines with his petition.

Mr Bradley: I guess I would call this a question of privilege, Mr Speaker. I notice that the chief government whip, the member for Lincoln and the government House leader disappeared during question period.

The Speaker: What privilege have you lost today?

Mr Bradley: It is another member's privilege I am talking to. I am wondering if the member for Lincoln has been reinstated as Chairman of the committee.

The Speaker: The member for St Catharines will please take his seat.

PETITIONS

CLOSING OF TREE NURSERIES

Mr Miclash: I have a petition that reads:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We, private contractors, oppose the proposed closure of the bare root section of the Dryden Tree Nursery due to the loss of substantial business revenue and local employment."

This is signed by a good number of people and I too have attached my name to this petition.

CHILD CARE

Mrs Witmer: I have a petition that reads:

"To the Honourable Zanana Akande:

"We, the undersigned, request the minister take action immediately to rectify the further salary inequity announced

January 31, 1991, for early childhood educators. We believe that the principles of freedom of choice, pay equity and non-discrimination form the backbone of our democratic society. Furthermore, parents must retain the right to select the day care of their choice."

REPORTS BY COMMITTEES

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr White from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr62, An Act respecting the City of North York;

Bill Pr68, An Act respecting the Armenian Community Centre of Cambridge.

Your committee further recommends that the fees and the actual cost of printing at all stages and in the annual statutes be remitted on Bill Pr68, An Act respecting the Armenian Community Centre of Cambridge.

Your committee further recommends that the actual cost of printing at all stages be remitted on Bill Pr9, An Act to revive Restoule Snowmobile Club.

Motion agreed to.

ORDERS OF THE DAY

INTERIM SUPPLY

Resuming the adjourned debate on the motion for interim supply for the period commencing November 1, 1991, and ending December 31, 1991.

Mr Runciman: It is a pleasure to participate in this debate for interim supply. I am following yesterday's speaker, the member for Renfrew North, who as usual gave a most interesting speech on the question of government finances and a whole host of other issues. I find passing strange, and I have mentioned this in the past, the comments coming from the official opposition, the former government of this province, and I have some concerns with respect to the validity they may be carrying with the public at large.

We have heard some concerns expressed in the past about the delays in the issuance of birth certificates, death certificates and so on. Of course, it was the former Liberal government which moved that operation to Thunder Bay. They have to assume some degree of responsibility for that.

We have heard questions about payroll tax. The member for Renfrew North has again expressed concern about payroll tax. Who brought in a payroll tax? No other than the former Liberal government. In fact they brought in something like 33 separate tax increases during the five-year life of the Liberal government, representing something like a 132% increase in taxes to the people of Ontario. Now they get up and express concern about payroll taxes.

We hear the interim leader of the Liberal Party getting up and expressing concern about the closure of hospital beds. Well, the Liberal government was responsible for the

closure of 3,400 hospital beds. Now they get up in this House and express concern. It is passing strange.

Today—this one really caught me off guard—we had the member for York Centre saying he likes beer and wine in grocery stores. That man was the Minister of Consumer and Commercial Relations. If he believed that, he sat in cabinet for the portfolio responsible for that area of the economy and did not do one thing, did not make one utterance in respect to support. Now that he is in opposition and involved in a leadership campaign, all of a sudden he supports beer and wine in grocery stores.

I simply want to send out the message to Ontario voters that they should take what the Liberal Party is saying now with a considerable grain of salt when they take a look at its experience and the way it conducted the business of this province for the five years it was in office. That is something we as a party have to continue to reiterate to and reinforce with the public, so the bad government we experienced by the Liberal Party of Ontario is not forgotten about by the time we roll around to the polls three or four years hence.

There is no question that the current government inherited a very bad situation in terms of the state of the provincial economy. They, along with the electorate, were led down the path in terms of what kind of deficit we were facing. I think the Treasurer of the day was talking about a very modest deficit. It turned out to be a very significant one indeed. There is no question this government has had some tough decisions to make. In any event, members undoubtedly are not surprised to know I disagree with many of the decisions they have taken to deal with the tough and trying economic circumstances we find ourselves in in this province today.

I want to talk about a number of issues. I believe they all in some way, shape or form touch on interim supply and the finances of the province. The one I want to deal with initially falls within one of my critic areas, and that is the whole question of the Ontario Provincial Police, law and order and community safety, which is a growing concern in the province.

We are hearing stories now of significant cutbacks in OPP services. I saw a letter that was circulated by Thomas O'Grady, the commissioner of the OPP, talking about changes that are going to have to occur within the OPP: cutbacks in overtime and time off in lieu of overtime. We have situations now where police officers do not have cruisers. They have to use their own cars to respond to calls. We have cruisers in my own area that are sitting on the lot at the OPP station because the detachment cannot afford repairs to those cars. For a significant part of the 24-hour period, the Highway 401 corridor has little or no coverage on it and very few people able to respond to emergency calls. That situation is worsening, with additional cutbacks being faced by policemen and policewomen in this province.

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What have we done over the past number of years to improve the situation? Really nothing. The Liberal government—and the current government is following in its footsteps—put more obstacles in the path of policemen and

policewomen trying to do an effective job for all of us in this province. It is a paperwork jungle, especially if there is a complaint lodged against a police officer. I think police officers have to fill out something like 75 different reports if there is a complaint lodged against them. They are twisting in the wind because of the long period of time it takes to resolve any public complaint against an officer to be resolved. That is having another negative impact, a significant negative impact on police morale.

We have to look at a host of areas where we have to address the growing concerns of policemen and policewomen in the community at large. We have a significant increase in violent crime in this province but very little concern being expressed by this government and very few options, if any, being brought forward, ways in which we can address that. Mr Speaker, in your former responsibilities, you were intimately aware of and familiar with some of these concerns.

When we talk about anything like this we frequently have tossed back at us, "The Conservatives want to cut spending but here they're talking about increasing spending." There is no question that we do want to cut spending in significant areas of government, but we think there are other areas, such as policing, that do deserve additional funding. What we are talking about is a reallocation of spending priorities within government. We are not talking about new money.

I can go on about a number of things but I want to point out money that is available within government today and could be reallocated to a need that is very obvious and is being neglected significantly by this government. I am talking about policing.

As members are aware, I chair the standing committee on government agencies. We have a draft report before us dealing with the TVOntario network. That dealt extensively with the spending habits of the former chairman, Mr Ostry. We also took a look at the operations of TVO.

One of the areas we took a look at was the French network, La Chaîne, and the significant expenditures going towards La Chaîne. They are attempting to appeal to something like 185,000 Franco-Ontarians. That is their audience. According to the statistics provided by TVO, it attracts something like 2.5% of that audience; 2.5% of 185,000 potential viewers, a pretty infinitesimal figure. Yet La Chaîne, the French network, is taking up 35% of TVO's budget. We are talking about at least \$25 million of \$30 million.

Mr Ostry and his colleagues, when they appeared before us, talked about the creation of the French arm of TVO and why it occurred. He quite clearly indicated it was not a decision or a desire of the board of directors or the chairman of TVO. It was purely a political decision made by the Liberal cabinet. What we are doing is spending significant sums of taxpayers' money on a network which is really not fulfilling any meaningful need within the province.

The network brass at TVO will tell members that. Anyone who has taken a look at the network and has any appreciation or understanding of the network, and has the guts to stand up and say it, will say that it is not doing the

. We can provide those services through the one network, which we were doing in the past, and perhaps enhance it, and at the same time realize a significant saving for Ontario taxpayers which could be directed into other areas such as policing. If we could look at injecting that \$5 million or \$30 million into the budget of the OPP, that would have a significant impact on its operations.

I have been trying through the legislative research branch for well over a month now to get details of a manpower study—this was probably commissioned, Mr Speaker, while you were the minister—taking a look at the manpower situation within the OPP: where the jobs are, what kind of requirements we are going to need in the future, etc. Up to this point, Commissioner O'Grady has been extremely reluctant to make that report available to me as a member of the opposition, but we are continuing to pursue that.

What I suspect we are going to find is that in a lot of areas where jobs have been created—this does not apply only to the provincial force, it applies to municipal forces as well—based on legislation that governments have brought in and initiatives undertaken by the senior levels of government, they have increased the workload of policemen and women and have created jobs that are not front-line jobs, jobs where we do not have officers out investigating crime and trying to prevent crime, working with the community. These are desk jobs, paper-shuffling jobs, jobs that in many instances I believe, if carefully rationalized, are not really needed. Those dollars could be better directed towards community safety.

Again, these are the kinds of issues that certainly my priority, over the next period of time, is going to continue to pursue and continue to press the Solicitor General on.

Another area I want to talk about, which takes up a significant chunk of provincial dollars, is health care. As members know, this government negotiated a sweetheart deal with the Ontario Medical Association with respect to payment to doctors. I call it a sweetheart deal although certain members of the medical profession, specialists, have significant concerns about the ceiling put on earnings. General practitioners do not have those concerns. They see \$400,000 as a goal to work for, but the impact it is having with respect to specialists is significant. Of course the consequence of that is that it is going to have a negative impact on health care consumers in this province who require the services of specialists.

Mr Speaker, I know some of my colleagues and perhaps some of your colleagues are now faced with a situation where specialists are reaching their cap on income, and what they are doing is closing down their operations and not investing new capital dollars for the latest high-tech equipment that is coming on to the market. The result of that is that health care consumers in this province are really being left as losers.

We have this agreement, as I said, with the OMA. It made the OMA the union for all doctors by instituting a Rand formula whereby even though something like 10,000 doctors in this province are not currently supporters of the OMA, they are going to be compelled by this government to pay dues to the OMA. In effect, it represents all

doctors at the negotiating table with the government. All doctors, whether they respect, support or care about the OMA, are going to be compelled to pay an annual fee to the OMA.

It is passing strange when we see these doctors, the OMA, getting into bed with the Premier. All we have to do is go back to 1986. I think it was 1986 when we had Bill 94 brought in by the Liberal government, banning extra-billing. That was part of the accord. The member for York South and his negotiators insisted that extra-billing be banned as part of the accord, so Mr Peterson brought in the legislation. We had one of the largest demonstrations in the history of this Legislature on the lawn, doctors violently protesting against the legislation, Bill 94, which was going to ban extra-billing. That was not David Peterson's idea; it was the member for York South's idea. It was the NDP's imposed policy on the Liberal government of the day. Now who is cosyng up to the Premier and his socialist chums? None other than the doctors, the Ontario Medical Association.

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There is a term I could use to describe the OMA, but I will not use it. It is not polite. I will just say it equates to ladies of the night, and I do not have a very high opinion of those individuals, obviously. Certainly we went to the wall in support of the doctors in 1986, and now we see them getting into bed with the architects of the legislation that banned extra-billing.

We are talking about a whole host of areas in this government. A lot of the members opposite are new to this Legislature. They have only been here a year, but I am sure they have witnessed the significant waste around this place and their constituency offices. There does not seem to be a real will on the part of legislators to deal with some of the waste.

I recall, I guess it was last year—this is just a small example—getting in my office a report from the Ministry of Industry, Trade and Technology. It came by courier, two thick books, and it was simply a listing of businesses in Ontario. I did not request those books, they were sent out to me, but the other thing is they were sent by courier. They sent two books, one in French and one in English.

We all want to be fair. Of course, any time you even touch on this kind of subject, there are going to be those who will jump up in the House and say: "Your motivation is something other than correct. You're not really being concerned about taxpayers, you're being concerned about something else, which impacts on a minority in this province."

I think common sense has to play a role here, and it has a very little role with respect to the way we have dealt with French-language services. Let's just take a look at this, where we had this document translated and sent out to members. We did not need it, we did not want it, yet they sent out two separate ones, in both French and English.

I think there has to be some kind of rationalization. Certainly we can provide those services if requested and if required, but to simply publish them, shove them out and send them across the province by courier—I suggest if we take a look at the cost of that kind of program, which for

all intents and purposes is flushing money down the toilet, we would find it is rather significant.

We talk about increasing lines at food banks, we talk about cutting back on police services, we talk about cutting back in a whole host of areas, hospitals beds, what have you, but we do not want to look at these kinds of things. We do not want to look at them at all because it is not politically correct to do so. If you raise them, you are going to be accused of perhaps having ill will towards a minority in this province.

That is not the case. I think we can provide those services in a real way, in a fair way, but not just this *carte blanche* approach: "Duplicate everything. Send it out to everybody regardless of whether they want it or not. Regardless of whether they need it or not, we will provide it. That way we cannot be criticized by any vocal pressure group in the province."

I think the time is long past when we take that approach to government and to the use of taxpayers' dollars. We are talking about a \$10-billion deficit. I know what I am talking about is probably a very modest sum, but we are talking about millions of dollars which I say could be better utilized, especially given the severe situation this province finds itself in economically.

There are other things I want to talk about. If I were in government again, I would certainly call for the cancellation of chauffeur-driven limousines. Again, this may seem like a modest amount of money when we are talking about a budget that is in excess of \$50 billion, but it sends out the wrong kinds of signals to ordinary working men and women in this province. There is no need.

I was in cabinet, and when I reflect back on those days, Mr Speaker, you really did not need a chauffeur-driven limousine. We have a garage, where if you needed a car, all you had to do, as a member of the executive council, was call up the garage and have a car available to you for government business, for government use.

Right now, cabinet ministers have their own cars and they have their own drivers, and those drivers are probably making in excess of \$30,000 a year, plus benefits. I do not know how many members of cabinet there are now—close to 30. Take a look at the cost of operating that car and of keeping that employee in service, who on many occasions sits around waiting for a minister all day. In my view that is a very significant waste of taxpayers' dollars. It could be dealt with to send out the right kind of signal to the people of this province. It is not being done.

I know we are not going to get this current socialist government to change its views with respect to this, but certainly one significant area of waste is rent control. The bureaucracy was started under a Conservative government. When it was brought in, it was supposed to be on a short-term basis. Of course, once you bring in a program like that, it is not short term. It grows like Topsy, and it has become a very politically dicey issue to deal with.

If we take a look at the situation in Ontario, there are millions of dollars—I believe it is in excess of \$50 million a year—now being spent to maintain the rent control bureaucracy. In my view, that is money ill spent. It could be spent in other areas which would be much more helpful to

people in real need in Ontario. Many of the people who are now benefiting from rent control are earning in excess of \$200,000 or \$300,000 a year, living in rent-controlled apartments and benefiting from the taxes paid by people earning significantly less money. People living in Cambridge or in eastern Ontario, making \$20,000, \$30,000 or \$40,000 a year, are subsidizing people in Toronto who are earning in excess of \$200,000 or \$300,000 a year. There is something terribly wrong about that kind of policy, but again, politicians are loath apparently to deal with that kind of situation.

I want to talk about the money now being spent on welfare, social assistance. We have the former minister in the House today. I do not think it is a secret that close to 10% of the Ontario population is now on welfare. That is a pretty scary statistic and certainly has something to do with the state of the Ontario economy. I think it may also have something to do with the changes that have been brought about in terms of growing social assistance benefits in this province and lack of incentives on the other side to get people back into the workforce.

Right now we have something like \$5 billion going into social assistance, and we budget around \$6 billion for education. Yet when you take a look at the welfare rolls, the analysis of people on social assistance, many of them are school dropouts. Many of them suffer from lack of formal education, lack of skills training, but we are increasing welfare payouts to these people, providing incentives to be idle and getting up close to the education budget. It seems to me that those priorities are way out of whack. We should be putting the money into skills development, doing what we can to ensure that these people have proper training and skills so that we do not have to provide social assistance to these individuals.

I know we have had some arguments about this, and the former minister was dealing with this, but we have economic studies which indicate that the gross income now for someone on welfare is somewhere in the neighbourhood of \$35,000. That works out to something like \$17.50 an hour to be on social assistance. Why would anyone want to work at a minimum-wage job?

Mr White: Because people want to work in this province.

Mr Runciman: Not like you, I guess. You do not know what work is all about.

The Acting Speaker (Mr Farnan): I regret the fact that members would interject as they walk past the member speaking and as they exit from this chamber. It certainly is not appropriate. I also regret the fact that members interject and I ask them to refrain. I ask the member who has the floor to address the Speaker. We have been doing extremely well and I think we can get back to that straightaway.

Mr Runciman: Mr Speaker, I appreciate your suggestions. I just want to say that the member for Durham Centre who walked off the floor making those comments does that frequently. You are the first individual sitting in that chair who has mentioned that. I think it is the first time. I have been in this House for 10½ or 11 years and I do not

all any other member doing that. This member does it consistently. Not a week goes by without that member coming in here, either coming in from the lobby or leaving and making those kinds of comments.

The Acting Speaker: Order. I have already made comment on that and I would appreciate it if we went back to the debate.

Mr Runciman: Mr Speaker, I just hope that message was delivered. He was outside the chamber when you made those comments.

Mr Mammoliti: I want to know where you got the figures.

Mr Runciman: I want to elaborate on where I got the figures. They came from a study done by the Fraser Institute.

Mr Wiseman: Oh, the Fraser Institute.

Mr Runciman: I do not have any trouble with the Fraser Institute. Obviously the members opposite do, but it is not a surprise.

In another example they use that I think is pretty scary, they make this suggestion:

"If welfare works out at around \$20,000 net, then any netting \$28,000, which well under half the population Ontario does, is working a 40-hour week for only \$160 a week or \$4 an hour, out of which they must pay gas, taxes, etc."

As well, the government has told municipalities to ease their efforts to verify that welfare recipients are actually doing work. Again, the end result of that is extremely obvious. When you work it out, if an individual is going to benefit to the tune of \$4 an hour sitting at home versus going out working extremely hard, there is very little incentive for that individual to get out and find a job. That is the sort of thing we have to come to grips with and it is certainly not going to occur with a socialist government, because it has a mindset that is obviously different despite what is happening in the rest of the world, despite what happened in Sweden.

The member for Renfrew North talked about the Swedish experience and someone across the floor said, "It took years for the Swedes to throw out the socialist government." I want to tell members that economic times are significantly different now in the world, not just in Ontario, and I do not think it is going to take Ontarians 60 years. I think they are now quickly coming to the realization that socialist policies do not work and that we are paying the price for the decision made by the electorate in 1980.

I want to put a few matters on the record with respect to Sweden. "The economy is bowed by a public sector that is used like a magic blotter to soak up unemployment." There is a relevant matter with respect to welfare, which I mentioned: "In Sweden, welfare absorbs more than 30 per cent of the gross national product. There are chronic budget deficits and balance of payments problems, and devaluation can no longer be used to make the figures come out. Productivity has dropped, inflation is high and the

competitive edge gone. Twenty-five per cent of workers in any factory are on sick leave."

That coined the phrase so commonly heard, "the Swedish sickness." It could be called the socialist sickness, which this government is trying to institute and is trying to inflict upon the people of this province. We are trying our best to stop it in its tracks. We are modest in number, only 20 Conservatives in this House, and we certainly cannot count on the Liberal Party, because many of the initiatives brought in by the Liberal Party in its five-year tenure in office were certainly in line with many of the beliefs of the socialists in this province and not in the best interests of the economy of Ontario.

Mrs Sullivan: Only the enlightened ones, Bob.

Mr Runciman: I do not call a 132% increase in taxes over a five-year period being enlightened, or 3,400 hospital beds being closed.

I want to talk about another issue that touches on my riding to a degree. That is the question of deinstitutionalization of psychiatric patients. This is a policy that, again, is politically correct and has been in vogue for some years. I have always had some difficulty with it, living in the city of Brockville. We have a psychiatric facility there and have seen the experience. We see it in Toronto too. We see these people sleeping at bus stops. We see these people who have no accommodation being shoved out of provincial psychiatric facilities without the support services ready for them in the community, but even if those support services are ready, many of those people in my view perhaps should not be out in the community. It is not in their best interests, let alone the best interests of the community, but no one wants to take a look at that issue again.

I am talking about government expenditures here. When I was chairman of the standing committee on public accounts a number of years ago I spoke to the Provincial Auditor about doing some kind of cost-benefit analysis of deinstitutionalization. He said, "It is government policy and if the government wants to invite me to do it, fine." It was not something public accounts was prepared to take a look at. Again, it is one of those politically correct things that nobody wants to really take an in-depth look at.

I think we should go back to square one and start all over. I do not think we ever really did look at the impact of deinstitutionalization, what its long-term impact was going to be and whether it was in the best interests of the psychiatric patients and the community at large. I think it is long overdue that we do that.

I want to talk about a specific one in my community where they are building either a seven-bed or 11-bed facility—it is an odd number—to accommodate patients being moved out of the Brockville Psychiatric Hospital. They bought a residence in a residential neighbourhood for more than market price. They paid at least \$25,000 to \$50,000 more than the place was worth, but that is typical. They have sunk well over \$300,000 or \$400,000 into this home putting in an elevator and doing all sorts of things.

When this house is complete and occupied, I want to determine what the actual cost was of providing those seven or 11 beds in the community. I think it is going to be

atrocious. There is that kind of money being spent. I have seen it; we see it, and obviously it is happening in my community.

It is happening in communities across this province where we say within government: "We have to tighten our belts. We have to take a look at expenditures in the psychiatric hospitals, for example, and tighten our belts." But then when you look at these community expenditures, which again are tax dollars, there seem to be little or no constraints placed upon these people. We have seen all these agencies and whatever you want to call them spring up over the past seven or eight years. Tax dollars seem to be unlimited to provide them with the funds to see their little empires grow. These are pretty basic things that government can deal with.

I know one thing that was done when the federal Conservatives came into office in 1984, and regrettably they have not followed up on it, but I thought the idea was great.

Mr Hope: They have followed up on a lot of other suggestions.

Mr Runciman: I agree. They established a commission headed up by Eric Kierans called the Kierans commission which took a look at every ministry, at virtually every operation and every expenditure of the federal government. It was a massive report on ways they could streamline government, make it more efficient and more effective and cut down on the cost and duplication of government operations. That report, for all intents and purposes, has been ignored. The people who participated, who volunteered their time—

Mr Wiseman: The Nielsen report.

Mr Runciman: That is right. It was the Nielsen report.

People who volunteered their time for months, believing the federal Conservative was sincere, have been extremely disappointed, people like the late Sid Handleman, who was the Conservative Minister of Consumer and Commercial Relations. I know he was very bitter after the time he put in and the recommendations his group made. I think this could be a useful sort of thing to occur at the provincial level, using volunteers from every sector of the province to take a look at every agency, board and commission, at every ministry, at every avenue of expenditure within this province to determine whether it is serving a useful purpose, whether it is needed, whether it can be sunsetted and whether it needs to be changed, at a whole host of areas that can make government more effective, more accountable and more responsive. I would certainly encourage this government to do that, but I am not optimistic.

I think some of the decisions this government has made are interesting. My friend the member for Welland-Thorold, the former minister—I will not put these on the record—got up in the House the other day and indicated that describing some cabinet members as pinheads and nitwits was not something he had done, or at least he implied he had not said that, although I gather that the member for St Catharines also interjected something in the House at the time, that he had a tape of the show and indeed those things had been said.

1540

There are people in this government who do not fit the description and hopefully they are going to have the intestinal fortitude over the next couple of years to deal with some of these matters I have raised in a commonsense way that is going to be in the best interests of all taxpayers in this province.

I think I have touched on all the subject areas I want to deal with today. I believe there are considerable tax dollars to be saved in this province if we take a commonsense approach to the expenditure of money and if we all take a look at the sorts of things that have been described as being off limits because they are politically correct and people are somewhat concerned about being attacked by some very vocal and active minority groups in society and their motives challenged or questioned.

I want to say that I have reached the point in my career where I am prepared to start talking about some of those things. If we are going to feel heat about it, we will feel the heat about it, but I know what my motivation is. I know that when I talk, for example, about the French arm of TVOntario wasting \$20 million to \$30 million of taxpayers' dollars, I am not doing it because of any feelings about a particular group within Ontario society. I am doing it because I believe it is wasted money and that we can meet the needs of that group in another way, in another fashion that is going to be in the best interests of Ontario as a whole.

Obviously we are not going to impede interim supply indefinitely. We simply wanted to get a number of our concerns on the record, and I thank members for their generosity.

Mr Sola: It seems the member for Leeds-Grenville is focusing too much on the former Liberal government, because he has to go back six years in time to make his criticisms of a former Minister of Consumer and Commercial Relations and a former Minister of Health.

On the other hand, the NDP government seems to be focusing back even further, judging from the remarks of the Minister of Citizenship today in question period.

The Acting Speaker: Order, please. Your comments should be directed to the speech of this member; not to the comments by members of the government, but to the speech by the member for Leeds-Grenville.

Mr Sola: Well, I am. That is right. I am trying to make a statement here, comparing where the two parties stand because the member for Leeds-Grenville has attacked the former Liberal government as well as focusing on today's government.

The minister went back 450 years in time in order to try to revise history. The member for Leeds-Grenville and his party seem to be trying to live in the past. It seems to me the only party that focuses on the present is the Liberal Party, and it shows that this government is overseeing a slide into a recession without doing very much about it. They criticize the former Liberal government, they criticize the federal government, they criticize the business community, but they do nothing to turn things around.

The member for Leeds-Grenville again agrees with me when they attack the Liberal government, but he disagrees when they attack the federal government, trying to protect its point of view. It seems the Liberals are the only ones showing that there is something wrong today and that things have to be straightened out before the economy can be turned around.

Mr Ruprecht: I listened to the member for Leeds-Grenville. While my colleague the member for Mississauga East is correct that the focus probably should have been changed, nevertheless I thought the member for Leeds-Grenville made an important contribution to this House inasmuch as he has focused on one issue that is of importance to many of us: the whole issue of ex-psychiatric patients and how we deal with them.

I have just one point which, when the member made his remarks, I hoped got through to the government, namely, that we simply cannot put all deinstitutionalized persons in certain segments of Ontario. That simply would not be fair. They should have the right to live in the communities they come from, where the support services are, where their families live and where their friends are. If any municipality should stand in the way, saying through some legislative means, "No, we don't want them; we don't care to look after these people because they reduce our property values," then I think the government should listen to this member and to our side. We believe that if anyone stands in the way of that, there should be as-of-right zoning and isolation placed and put in such a way that there is no doubt that people who come from an institution or who are released ex-psychiatric patients should have the right to go to political districts or urban and rural areas, wherever they may have come from.

Mr McLean: I want to comment just briefly on the remarks made by my colleague. Some of the issues he touched on were very clear. Some of the issues he touched on go back many years. When I look at what has happened with regard to the birth certificates and the problems we are having of getting them which the government member has said today, it is important that people realize what avenues they have in order to get birth certificates.

People used to come to our constituency offices and we would pick them up after it within the same week. I would bring them home Monday and take them home Thursday. That is not happening in government any more, and it should be. There should be an area where that can still happen that quickly.

When we look at the taxes in this province, the budgetary policies of the government and the different revenues—the fees for licensing of vehicles—and at the gasoline tax, I remember the Treasurer—and my colleague has spoken to it—when he was in opposition, saying gasoline should be the same across this province. This very same Treasurer is the one who has added three cents a litre within a year to the price of fuel. I do not know what you will say, Mr Speaker, but I have some words for it that should not be used in this Legislature and I will not use them. It is not for him to stand on this side of the House and say it should be the same across the province, and then as Treas-

urer to bring in those tax increases for the people in the north, is not proper.

I have also spoken with regard to my colleague on the costs we have on hospital beds. I have said for a long time we should have more nursing homes, more homes for the aged, and get them out of the hospitals. That would be a lot more reasonable. I compliment my colleague on his remarks today.

1550

Mr Runciman: The Liberal member for Mississauga East suggested I am living in the past when I am critical of the former Liberal government as well as of the current NDP government, but I think it is important to reinforce the message with the public at large. A lot of the issues being raised by members of the Liberal opposition are matters they had completely opposite positions on when they were on the other side of the floor. They instituted a payroll tax. They complain about birth certificates; they moved the office to Thunder Bay. They talk about hospital bed closures; they closed 3,400 beds. I could go on and on. We are not living in the past, but we do not want the public of this province to forget the past either. We do not want the public to forget what the Liberal Party did to Ontario.

I want to thank the member for Parkdale for reinforcing my comments with respect to the deinstitutionalization of psychiatric patients. I just want to say that in Brockville we have a director of rehabilitation who is a provincial civil servant, the only psychiatrist who is a provincial civil servant in that hospital, put in there to shove through deinstitutionalization. I have been advised that this gentleman is going to retire in two years and that he wants to go through that rehab area of the hospital and have it all closed down before he retires. He does not give a damn. He thinks psychiatric facilities are outdated, outmoded and that these people belong out in the community.

I think many of them may well belong out in the community, but we had better be damned sure we have the support services in place and the people to do the job to make sure we are not jeopardizing their safety and the safety of many people in communities right across this province. We do not seem to have that attitude or approach within the mental health division in the Ministry of Health. I think it has gotten away from this minister. She has significant responsibilities and I believe she is a very sincere and dedicated person, but she is dealing with a bureaucracy that has been in control for many years and can buffalo, and has buffaloeed, many a Minister of Health.

Mrs Sullivan: I am pleased to participate in this debate relating to interim supply. I have been watching the House over the past couple of weeks, and watching with interest the change in tone and attitude among the backbenchers of the New Democratic Party, who are clearly feeling some unease and some disappointment in the way their government is moving ahead on policies that were promises and on which they campaigned. I know, because I went through this in 1985, the enormous exhilaration and exuberance one feels when, after years of being in the wilderness, one is finally moved into government by electoral vote.

When I was first elected to the House, I had the advantage of having been around this place in capacities other than as a member for some time. I must say that during the course of that time I came to know many of the people who were key players in the New Democratic Party, front and back rooms. One of them was Robin Sears, of course, who was fondly known around this place as "Vlad the Impaler." Another one was Gerry Caplan, who is clearly still an influence and an influential adviser to the New Democratic Party.

I recall as well from the Conservative Party representatives in meetings we held, usually relating to election activity or election finances laws, Hugh Segal, who is now taking his place in the Prime Minister's office and assisting in creating a policy there, not a small place and not a small job to clean up.

I can recall the day in 1985 when with astute joint management, I think, from several sides of the House, including the government side and our side, a new government was formed. It was not a coalition government, but a new government that was formed. It was a wonderful day on the steps of the Legislature. I can tell members that people like my colleague the member for Renfrew North; the member for St Catharines; the member for Quinte; Bob Nixon, the former leader of our party; the member for Bruce, and the current leader of our party spent years and years having meetings in telephone booths and in offices with five and six people because that was all the interest we could drum up.

It was a wonderful day. That is not the case today. But for our party and for people in it who worked very hard and provided diligent opposition over that period time, that day in May was a very special day. It was a sunny day. The front of the Legislature was crowded with people and they all came in.

Mr Ruprecht: Thousands of people.

Mrs Sullivan: Thousands of people. Most came to celebrate. Some simply came to view but, by George, the place was full for Liberals who had worked very hard in opposition. I suggest that the Tories today are working hard in opposition. Certainly we in opposition are now working hard again to go back into government.

As I recall that day, I think of the exhilaration that must have been felt by members of the party, whether they were backbenchers or in government, the day of their swearing-in; the exuberance, the hope and the expectations they carried with them. As I look at the record of the government, whether it is a fiscal record, the economic record or the social record, there must be deep pain felt by people who felt so happy and exhilarated on that day.

Sometimes, Mr Speaker—you will know this, having been here for more than one term—when we are in this place, it is hard to keep our perspective on what is happening in the world around us. When we look around and see the carvings and the wonderful, ornate red of the floor and the grandeur of the chamber, everything seems so intense and the issues seem so intense here that we forget there is another world outside.

Every once in a while I think of the Vermont Legislature, for example, a beautiful chamber full of historical allusions and background from that community, much of this place is. When you visit that Legislature in Montpelier, Vermont, you see a place that has two chambers rather than one, but it is a wonderful place for people there. Frankly, do we know what is happening in that chamber from time to time? Rarely. Do people in Vermont know what is happening in this chamber? I will tell members no. There is a world outside this place, and too frequently we get caught up in what is happening here.

In speaking on interim supply, one of the things that is very clear is that this is a debate about paying a portion of the bills that are put forward in the budgetary policy of the government. The bills that are put forward in the budgetary policy, the spending and the revenue record, are included in this document. That is partly what we are talking about today, paying part of the bills that this document covers.

That makes it difficult, because I do not support this document, but the debate on interim supply relates to interim payments, sometimes for civil service and sometimes for social transfers that are part of the fiscal and economic and social policy of this government.

I think as well that this debate very sincerely relates to the approach of this government to governance itself, the way this government respects the role of the Legislature itself and the way it respects the role of the members of the Legislature.

There is no member of the Legislature, whether in opposition or a backbencher on the government side of the House, who takes his or her role lightly. I have very strong objections, as I have expressed in the House, to situations where the police are called in when members have access to information, no matter what the source. I object where there is perhaps misunderstanding, but certainly in the member's mind there was no misunderstanding when he was removed from a cabinet position to the government back bench because of a decision he made to vote on a specific tax bill against government policy.

Those are highly objectionable approaches to governance and to respect for this place. This is where laws are to be made. This is where debate is to be carried out. This is the place where ideas are to be put forward, and the full exploration of those ideas.

The Acting Speaker: Order, please. This is a wide-ranging debate. If you can just bring it into interim supply occasionally, I will appreciate that.

Mrs Sullivan: Mr Speaker, I object to your intervention in my remarks. I am speaking to the fiscal and economic policy and the attitude of this government—

Interjections.

1600

The Acting Speaker: Order. The direction of the Chair was simply a request that the member make some occasional reference to the motion of interim supply before us and relate her remarks to that motion.

Mrs Sullivan: Mr Speaker, that is precisely what I am doing. I have been speaking about not only the fiscal and economic policies of this government—I will address

se further—but the way those policies are formulated and the governance, and the respect for the governance and the place of this chamber in the course of that. That is very much a part of the debate on interim supply.

One of the things that is very much a part of that issue is the way the policies are formulated. What that means is when and how an ideology—I am not saying ideology in a derogative way. I am saying there is an ideology of this government and of that political party. There is an ideology here; there is an ideology there. What I am talking about is the way that ideology is translated into action, and frankly it is a bad performance. That bloody well is a part of the debate on interim supply, because what it talks about is who is listened to, who has a role, when advice is sought, if advice is sought, and where it is sought.

I will tell you, Mr Speaker, that this government uses the word “partnership” all over the place. In every single debate, every minister leaps up and uses the word “partnership.” I will tell you that institutions, individuals, corporations and advocacy groups tell horror stories of the results in legislation, in regulations, in announcements and directions that are a direct result of not consulting, of not forming those partnerships, of not bringing people into the action of government. There is no minister and no ministry that is exempt.

I want to recall that today in question period there were questions from my colleague the member for Oakville about the Solicitor General relating to the Sunday shopping legislation. The principals who are involved in several of the cut-rate drugstores were present in this chamber. I spoke with them afterwards. They have indicated that while they have asked for consultation directly with the Solicitor General in relation to their particular case, and have sought intervention and meetings with the minister in relationship to difficulties this legislation causes to their particular operations—3,000 jobs are at stake—they have been refused an interview either with staff or with the ministers. That is absolutely typical of what has occurred with this government.

Mr Wiseman: How did it get in there in the first place? You put it in there.

Mrs Sullivan: What was that? Mr Speaker, you intervened in my remarks. Would you intervene in their remarks?

The Acting Speaker: I do not think I have to remind the House that I do require that you listen to the member who has the floor. I have asked for that on numerous occasions today. I would appreciate if that could be the case. Of course, if when members are presenting their case, they do it forward in an inflammatory manner, it is more likely there will be interjections. However, I would ask for the cooperation of all the House.

Mr Wiseman: On a point of privilege, Mr Speaker: I would like to point out that when a number of us came into the House, in the first instance, we were quite prepared to allow the debate to take the form that is binding in the standing orders.

The Acting Speaker: This is not a point of privilege. I am sorry.

Mr Wiseman: However, we learned that—

The Acting Speaker: Will the member take his seat, please. The member for Halton Centre has the floor.

Mr Wiseman: If they don't want interjections, they shouldn't make them themselves.

Mrs Sullivan: Mr Speaker, with your permission and the permission of the member for Durham West, I would like to continue with my remarks, because I am very concerned about what is happening in terms of the atmosphere in this province. The activities of the government have created uncertainty in many areas, and that leads to mistrust.

I want to give some examples. As you know, Mr Speaker, my role has changed recently from critic for the Ministry of the Environment to critic for the Ministry of Health, but I want to talk about some of the environmental issues. They are important issues and they matter to all of us. They matter to us in this generation and they will certainly matter in generations to come.

Whether the issue is waste management, pollution control, the reduction of accumulation of toxins in our waterways, air pollution requirements and so on, frankly, what we have seen from this government, which has a strong record in the community as being an environmental advocate, is vague rhetoric.

The first piece of legislation that came into the House from the Minister of the Environment was Bill 143. This bill will cost money, Mr Speaker, you will note. It is very much a part of the interim supply bill.

In the course of this bill, there are two issues that are of very great concern. This bill is to provide information and detail on a mandate for the Interim Waste Authority that the minister announced outside the House some time ago. The first thing this bill will do is exempt environmental assessments under the Environmental Assessment Act for interim sites. This bill sets up a new EA process that was never discussed in any way—no consultation with the communities affected. This is part of the bill:

“Environmental assessments for the sites will not be required to contain discussion of any alternatives to the landfill waste disposal sites.... Policies may be established for purposes of this part by the minister.”

That is a fundamental part of the environmental assessment process. This bill does what the Minister of the Environment said would never happen. She demanded on her own that it be a fundamental part of choosing those sites that are most environmentally appropriate, not only for today but for tomorrow. By eliminating the examination of alternatives, we could end up with landfill sites on our headwaters, on class 1 agricultural land, in all sorts of other areas that are totally environmentally inappropriate. I say to people who are part of the back bench, part of the government caucus, that this is a grave disservice—

Mr Hope: Tell us what you did. Tell us what you did.

The Acting Speaker: Order, the member for Chatham-Kent. Not just interjection, but constant interjection is totally unacceptable.

Mrs Sullivan: There was another issue I was very concerned about in the course of the announcement of this bill. The minister did not make a minister's statement in the House the day the bill was brought to the House; she

gave a brief description of the bill on first reading of the bill. I believe on a matter that is as important as this, that has occupied the time of this government for close to a year and a half, there ought to have been a statement. But I want to just read from Hansard the response of the minister to a question from the member for Markham in question period yesterday. The minister indicated in her response, "The Interim Waste Authority, which is seeking the long-term sites—I am not and neither is my ministry; that is the agency doing the long-term planning—is, through the legislation, not required to consider those non-environmental alternatives."

She has said, "I am not and neither is my ministry." I would like to say that I think the minister should come back to the House and explain that further, because the Interim Waste Authority was set up as a private corporation under the Business Corporations Act, and the sole shareholder of that private corporation is the Minister of the Environment, the member for Etobicoke-Lakeshore.

1610

The minister says, "I am not and neither is my ministry." She is the sole shareholder of the corporation that is doing this work. She is the sole shareholder of the corporation that is changing the environmental assessment process, that is eliminating a fundamental, environmentally necessary part of that environmental process from the search for landfill sites in the greater Toronto area. I want to suggest that the members of her caucus should question her substantially at their next caucus meeting about this.

What has happened—this has been very clear from the cabinet document I brought to the House last June—is that there is a fundamental change of process, extralegal now being made legal, but that is a travesty.

I want to suggest that those kinds of decisions, these kinds of dumps-by-decree, almost, lead to enormous mistrust in the environmental community and in the community at large. That is something I am concerned about at a time when there is absolutely enormous cynicism among the population. The job of the opposition is to oppose, and frankly when we see something that is valid to oppose, it is important that we oppose it. I believe this particular action is substantially wrong.

There are other areas that provide enormous mistrust and add to the cynicism. I want to move for a minute or two to the health field, where we understand people are affected from birth to death, where the health budget consumes more than one third of the provincial budget, where decisions that are made affect not only the short-term operation of facilities or of systems but the long term as well.

If we look, for example, at our hospitals across the province, we will see that 50% of them have deficits. There are something like 224 hospitals in the province and 50% of them are operating in a deficit situation. In some cases, those deficits are 10%; in other cases, the deficits run up to 25%. Those hospitals have a mandate under the Public Hospitals Act to provide service to the community.

The minister has said those deficits must be eliminated, and it is appropriate that there are well-managed health services provided through the hospital system. But it is puzzling to me and it is puzzling certainly to the hospitals

which have to eliminate those deficits, which have to fit into line with a directive of the minister, that indeed the minister has given no indication of any formula or guideline, no standard for bed closings, no standard for other options that are available to the hospitals. Does the minister want to see, for example, a standard of 3.5 beds per 1,000 in a community? What about 1.8 beds per 1,000? Who knows? Does the minister have a standard?

If bed closings become so substantial that a community is underserved, the hospitals are in contravention of the Public Hospitals Act. Where is the standard? The minister has not provided that. Surely when the minister, quite rightly, is insisting on a well-managed hospital system where the dollars really count, she should be coming forward with a universal formula that will apply to all community hospitals, and with specific factors that are taken into account for teaching and tertiary care hospitals. Surely that is an appropriate thing to expect from a minister who has expectations of her own from those in the community.

I note that yesterday the Minister of Health—whom I frankly admire a great deal; I think she is a very talented person who has contributed already to the work of the Legislature and will continue to do so—referred to 60 beds which the Hospital Council of Metropolitan Toronto has indicated may at any one particular time be sitting empty in Metro. I think one of the things that was glossed over in the minister's response was that we have to understand that a body in the bed at that particular moment in time when a count is done does not mean that the bed is not fundamentally needed to provide health care services in a community.

Without the standards, without the direction from the Minister of Health, I will suggest to her there will be communities that will be underserved and that is something the Minister of Health cannot allow, because I know she is committed to the continuation of medicare, which itself implies an equitable and fair access to health care services throughout the province.

I want to move back to the question of consultation. We know the government has entered into an agreement with the Ontario Medical Association. Frankly, I regret some of the past difficulties in the relationships of our government with the doctors of the province. Some positions were impossible to bring together, but in others there could have perhaps been more accommodation reached. That is a perspective I have after the fact.

That agreement that the Ministry of Health and the government of Ontario reached with the doctors included with it a joint management committee. Other institutions, other agencies, other committees that are involved in the delivery of health services are very concerned about the role and the nature of that joint management committee. One of the things I would like to bring to the House's attention is that because Dennis Timbrell himself, a former Minister of Health and now president of the Ontario Hospital Association, complained that perhaps hospitals were going to be left out of the process, the minister and her deputy agreed that there would be a committee set up.

However, the OHA had a surprise waiting for it. I read from their latest weekly summary:

"OHA welcomes the opportunity to participate in the review, which it considers of utmost importance to the future of hospital funding"—so far so good—"but OHA is concerned that the presence of four union members on the review panel creates an imbalance and has therefore asked for two more places."

What is clear from that is that the OHA was not told at the nature of the committee was going to be or who should be included. I would have thought that had that consultation taken place at the time, there would not have been a negative follow-up reaction; there would have been a far more efficient start to what could be a useful committee.

I want to go back to the doctors' settlement for a minute, because it leads me to the position of commenting on a kind of clumsiness and sloppiness with which this government has approached much of its legislative process. The doctors' settlement, we recall, came to fruition when the member for Ottawa Centre was Minister of Health. The regulations for that settlement were only filed yesterday. They have not been gazetted and the regulations are of course retrospective regulations. It seems to me that if this government had been on top of things, those regulations could have been done at the appropriate time when the announcement was made and the agreements were signed.

In other areas there is sloppiness and clumsiness in approach. We have seen announcements from the Minister of Health about long-term care beds in Haliburton. I do not want to disparage the need for long-term beds in Haliburton, but one of the things that is puzzling to everyone in Ontario is, what is this government's definition of long-term beds? Nobody knows, and the calls that are coming into my office from health care institutions and from district health councils are all asking the same question. The minister having made an announcement, on what basis was that funding granted? That is sloppiness. It is clumsiness.

A similar example comes up in a question I raised in the House a couple of days ago relating to the removal of certain drugs from the formulary. In the context of a question period those issues perhaps cannot be explained in quite as much depth as they can through this kind of debate, but basically what has happened is that there have been four tiers of access to drugs created: first, there is a formulary; second, there is a non-formulary access; third, there is section 8, special permission; fourth, there is a new category, for AIDS patients and AIDS doctors, where a list of these doctors' names must be filed with the pharmacy, checked, and when a doctor prescribes for a patient those drugs that can only be prescribed for AIDS patients, those drugs are now included on the formulary.

This government has spoken at some length about the need for anonymous testing for AIDS patients. This is part of the policy of the government, part of the statements of the government. Yet what we find here is a policy that has been so clumsily drafted and implemented that the privacy has been stripped away, both from the patient and from the doctor. It seemed to come as a surprise to the minister. One wonders where the advice came from.

There is one issue as well that I find of great concern, and I hope other members—I know the member for St. Andrew-St. Patrick has been very interested in legislation relating to the advocacy bill, the consent bill, the Substitute Decisions Act. Although when she was minister those bills did not particularly emanate from her ministry, I know she has an interest in those.

But one of the things that is of great concern—and I am asking the government to hear this argument, as it is put forward from people with whom I am speaking as Health critic—is that those three pieces of legislation will be considered together in the standing committee on administration of justice. Unfortunately, they are extremely badly drafted, and they were drafted in several cases, particularly the consent legislation, in the absence of adequate consultation. As a consequence, there are overlapping provisions in those acts and there are contradictory provisions in those acts. The Minister of Health herself has indicated that the consent bill, or at least the outcome of the consent bill, does not appropriately represent the public policy intentions of the government.

Frankly, given those circumstances, it would seem to me appropriate, and I hope the government will do this—they know I have already asked that the consent bill be withdrawn and put out for appropriate consultation. I believe this is important legislation. I believe the Advocacy Act is important legislation. The people we represent need some of the provisions that are included in these bills.

However, the overlapping or contradictory nature of this legislation is a matter of grave concern to people who are advocates themselves, to people who need advocacy services, to physicians and health care practitioners who are delivering health care services. I believe that those bills either should be withdrawn in total or the three ministers involved should make a decision that they will be used as consultative documents, a draft bill, if you like, so that appropriate legislative measures can be put before this House.

There is no one, I believe, in any party who does not want to see appropriate consent legislation, advocacy legislation and legislation relating to substitute decisions. Certainly the member for Carleton from the third party has a particular interest in the substitute decisions bill, and we have had many private members' debates on that matter.

The three pieces of legislation are too bad to fix by amendment and I believe that they are too important to be left in their current form. I would suggest, as I already have, that the legislation be taken back and a new start made. Whether these are used as draft bills for consultation or whether they are withdrawn completely and an appropriate consultation formula put into place, I really believe strongly that something better needs to be done.

I have spoken about some of the uncertainties that are being created in this kind of economic climate. Some of those have been created by the government, by certain early statements that were made in relation to who would have access and who would not, in the stories that come back about who in fact can have meetings and who cannot, who is being heard and who is not. But the uncertainty in the business and economic community is most worrying of

all. We know there has been enormous job loss, not all of it the fault of this government, but one of the things that concerns me is the enormous lack of confidence in the growth and in the turnaround in the economy that the actions of this government have added to.

One of the things that is going to be vital for a turnaround in the Ontario economy is increased capital investment. Capital knows no borders these days; it is fluid. Business investment opportunities right now are not optimistic, and members can look at those figures in any economic document and any economic forecast. Some members might be interested in reading some of the material written by Robert Reich, who speaks specifically to the lack of borders now in international economies and particularly in financial institutions and the flow of capital.

When this budget document hit the streets, the document spelled out a plan which horrified many people. I had reason to review the other day a public opinion poll conducted by Environics which says that fully 75% of the people in Ontario disapprove of the economic strategy of this government: a \$9.7-billion deficit, three times more than any in the past history of the government, and a spending increase of 13.4%, which has removed the flexibility for further action.

One thing that is of graver concern is that if indeed this government was using a Keynesian approach—which is not to be sneezed at; it has worked in the past, as long as the projections in the early stages are correct—one of the things that has happened is that the flexibility to react in better times is being removed, because the government has built into its economic plan a \$9-billion deficit for next year, an \$8.5-billion deficit for the year after and an \$8-billion deficit for the year after that.

Those kinds of decisions, along with an increasing tax requirement, are decisions that will drive capital out of the province and not into the province. We are seeing a drain in the wealth creation aspects that are open to people in Ontario.

The climate of uncertainty—the clumsiness, the contradictions in policy that we have seen as this government implements its fiscal, financial and social policies—leads to only one question: What on earth is going on? The convoluted clichés, the rhetoric of advocacy without taking principled action that leads to change, the clumsiness in approach—we saw another example today in relation to the land titles offices—make one wonder, is the bureaucracy being heard at all? Are they being cut out? Who is being heard as the policies are defined?

1630

Mr Wiseman: I have only two minutes, so it is going to be difficult to correct the record of the honourable member who has just finished, but I would like to raise a couple of points.

In the first instance, she talks about the heavy-handedness of this government. I would like to point out the heavy-handedness and the backroom dealings of her government when it decided it was going to put a landfill site in P1 without going for a full Environmental Assessment Act process, and were going to do it with the Environmen-

tal Protection Act. If she talks about something that contaminates the process and is completely unfair, she should start by explaining why this took place, and then why they flopped in this House with their first non-confidence motion and said that it should have a full environmental assessment after they had completely reneged on that.

The second thing I would like to correct concerns the Interim Waste Authority. The Interim Waste Authority is an arm's length from this government and it should be because of the kinds of machinations that went on behind the closed doors of the former Premier and the members from the region of Durham when they conspired to put the dump in north Pickering.

The Interim Waste Authority has six parts to it. Perhaps the member should read it. They set out the criteria upon which the long-term landfill sites are going to be determined. This process is completely separate from what is happening at Keele Valley and Britannia in terms of the extra lifts. The six parts clearly outline that class 1 and class 2 farm land will be exempt from landfill sites, the criteria will be developed on the state of hydrogeologic formations, and that criteria will be evaluated as to the fairness of whether future landfill sites will be put in communities that already have landfill sites.

This is a good process. It is consultative, it is an arm's length and it is going to make sure the next long-term landfill sites that are found in Durham and Durham-York are fair and devoid of the kinds of backroom dealing characterized by P1.

Mr Stockwell: The last thing we need is a lecture from the government on how to handle landfill sites and environmental concerns.

The Acting Speaker (Mr Villeneuve): Please address the remarks of the honourable member for Halton Centre.

Mr Stockwell: I will. The comments just made with respect to the comments of the member for Halton Centre are totally out of order and inappropriate. It is unbelievable that this member has the gall to stand up here and make such statements. The Minister of the Environment has unilaterally expanded Keele Valley and Britannia Road without so much as one minute—

Mr Wiseman: On a point of order, Mr Speaker: The comments I was making were in direct reference to the honourable member's comments.

The Acting Speaker: That is not a point of order; I am sorry. That is a point of view.

Mr Wiseman: His comments are on my comments which is out of order, and they are also not accurate.

The Acting Speaker: The honourable member for Etobicoke West, please.

Mr Stockwell: What really gets frustrating is that you, Mr Speaker, allowed them to finish their comments, which I consider to be totally inappropriate. When I get up to make comments on the speech from the member for Halton Centre, and comments on the comments from the member for Durham West, they insist on breaking it up because they do not want to hear the truth.

The truth is that we have not had one minute of open consultation. We have not had one minute of public hearings. We have not had one minute of environmental hearings on two sites being opened and expanded when his premier stood in this province not 14 months ago and promised never to expand a site without full environmental assessment hearings.

I do not want any more lectures from across the floor being fair and up front with the public and the electorate. They have been so—I know the word I want to use, but I am certain I cannot, but they have been less than up front with the public. The people of Peel are very upset, the people of York are very upset and I do not need any more lectures. They have more broken promises than shoes in their closet.

Mr Hope: Earlier I was ruled as being part of heckling while I was talking to my colleague the member for Essex-Kent. I just wanted to make that clear to the speaker.

I think it is very important that as we talk about the Liberal government and its five years and some of the promises that are made about this government, I must enumerate some of the things that have happened over the last five years of the Liberal government when it diverted attention to business. Members talk about business confidence; look at the employers' health tax and what it did to the small business community. They put this piece of legislation in, relieving the larger corporations that were corporate pals and put it on to the municipalities.

They talk about the consultation that the former government had. I stood in front of this park for five years trying to make sure workers had protection and were not being victimized by Liberal legislation. That is the consultation they are saying the Liberal government had. At least they are giving labour, business, municipal and federal governments the ability to consult with us and talk with us.

Yes, we are going to have philosophical differences. That is part of being in government, when sometimes one has to make decisions based on that. But when they make allegations that this government is not listening—yes, there are some people who do not always get inside. That is part of reality. Eventually, through the time frame in the government's mandate, we will be able to consult with a wide variety of people.

I think it is very important that when they start alluding to pieces of legislation and other things we are doing, they could have done things many years ago on a lot of these issues. They talk about protection of jobs. Where were they for the last five years on research and development? Then, according to their Premier, they knew the Mulroney agreement was going to damage this province, yet they never put any money into research and development, into the education system for the skills and development of the people of our future. For them to stand there and make allegations against this government is uncalled for and outrageous.

Mr Cousens: I just do not know where the members opposite are coming from when they start talking about the management of government, ability of government to do the

right thing. There is absolutely no doubt in my mind and the minds of the majority of the people in this province that this government—the Minister of the Environment, the minister responsible for the greater Toronto area—has broken every promise that was made when it was in opposition.

When this government was in opposition, it said there would be a full environmental assessment and that this environmental assessment would mean there would be nothing done on Britannia or Keele Valley without that being done. The honourable member who has just spoken is trying to bring out the fact that they have failed the people of Ontario, that they are continuing to do it and that there is such a camouflage over this thing it is worse than garbage itself because something is starting to smell. It is the promises broken and the direction being taken.

If there is any doubt on this side of the House, it is that this government was elected on a set of principles and promises and have in fact not fulfilled them. I do not mind them breaking some of them. I think they can go ahead and hold back on implementing the environmental bill of rights, because quite candidly if they had introduced the one the minister and the member that has just spoken had brought in, we would be in worse trouble than ever. There are some things they do not need to rush at. Changing and backing off from auto insurance is another one.

When it comes to garbage, these guys are specialists, especially in stacking it higher and higher and doing a poorer and poorer job of it. If this House is to just sit around idly and give them dumb applause, we are not going to do it. We are not going to do it at all and we are not going to let them stand up in this House and make fools of themselves without at least our challenging them to be honest with the facts. They have not been honest with the facts. They have not been honest with the people of Ontario, and for them to think they are doing the right thing is wrong, absolutely, categorically, unequivocally wrong. It is high time the New Democrats stopped embarrassing the intelligence of the people of Ontario.

I thank the member for Halton Centre for what she was trying to say.

The Acting Speaker: This completes questions or comments. The honourable member for Halton Centre has two minutes to reply.

Interjections.

The Acting Speaker: Order, please.

1640

Mrs Sullivan: In responding to the outbursts and comments from members opposite, I thought I would refer back to a quote from Pierre Laporte's book called *The True Face of Duplessis*. As we know, Duplessis used to tell all sorts of fabulous political stories and one did not know whether they were accurate or not.

One of the stories is that in Ottawa one day Duplessis chatted with Joey Smallwood, who was then Premier of Newfoundland and of course a Liberal. He was telling him, in the presence of a group of newspaper people, that Sir Wilfrid Laurier had once made a statement that was to serve as the basis of all Liberal Party principles. Smallwood leapt

to the lure and asked what Sir Wilfrid had said. Duplessis smiled, as he did on all these occasions, described at length the scene where Sir Wilfrid had made the statement, enumerated those who were present and reviewed the impression the statesman's remarks had left. Smallwood said, "Yes, but what did Laurier say?" Duplessis said, "He said the Liberal Party had one principle and that was to have none." Everyone burst out laughing and some wisecracks claimed that Mr Smallwood exclaimed, "That's fine, but why the devil did he go and say it in public?"

That is great fun from our history. What I am talking about is a government that has a principle for today and a different principle for tomorrow.

Mr Cousens: When it comes to interim supply, we are talking about the way money is being spent within our communities. I would like to take a few moments today to talk about what is happening within my own community, where there is some satisfaction but a great deal of dissatisfaction.

I cannot begin my remarks about the way the government is spending money without at least giving a compliment. I think the people who live in Markham, Unionville and Whitchurch-Stouffville have come to appreciate the way in which the previous government and this government have helped the Markham Stouffville Hospital come to reality. It is a fact that our community will never take for granted. The promise has been kept and we have within our community a hospital that somehow or other seems to be so far escaping the cuts the Minister of Health is making. I personally believe that with a fast-growing community such as ours we need to continue to have a very strong hospital. I sense there is some kind of good working together between our hospital board administration and the Ministry of Health.

I would also like to stop and say on behalf of my community that the spotlight the previous Minister of Transportation was able to approve in front of the senior citizens' home in Unionville is now in the process of being built by the Unionville Home Society. It is a rather large job. It is close to the railway tracks. It was a tricky job but none the less it was a situation where we brought a delegation of people from my community and presented the issue again. We did it to just about every Transportation minister we have had here for the last five years and finally, under the previous Transportation minister, approval was given. Again, I want to go on record and say thanks. You just cannot come along and ask and ask and not at least acknowledge when something happens the way you want it to, which I think happens to be the right way. That is only fair and right.

There are some issues, though, within our community that really need to be touched upon. I do not want to spend a great deal of time on them, but they need to be referenced in Hansard and in the House, certainly so the ministers can be aware of them.

The Children's Aid Society of York Region tried to make a point to the Minister of Community and Social Services not too long ago when it said: "We've got to increase our funding. We are the fifth-largest children's aid society in the province yet are receiving the 13th level of

funding." That means the kind of budget being given the province for children's aid society services does not begin to meet the need within our community and the number of children being served.

I have the statistics here. They point to a very serious story for the last several years. It is not just something new to the socialist government we now have. It is something they inherited from the previous Liberal government. There was a failure to address the concerns of a growing community. York region has received the lowest overall percentage increase, well below the annual average percentage increase in budget across the province for the years 1982-87. York region consistently ranked second third lowest in dollar allocation per child population across the province for the years under review. They receive only one third of the average percentage increase awarded to societies in the proximity of York. York region receives the lowest dollar allocation per child population relative to societies adjacent to York—Durham, Peel and Simcoe. The fact of the matter is that we have been shortchanged York region for our children's aid society.

This government, through interim supply, is going on to spend its money again. All I am asking is that there be equity and fairness in what happens in York region and our neighbouring municipalities. If we have a need, it should be subsidized. It is important to the province to make sure there is equity in the funding mechanisms. I go on record now, as I have been on record before: There is no equity right now for the funding of the children's aid society in York region, and I challenge this government to review that funding again.

The board of directors has resigned. It has been replaced by another board of very interested and caring people from the community who want to maintain the service of the children's aid society. But if they are not going to get the money, we are not going to be able to provide the service and we will end up incurring another deficit, as we had a few years ago. I implore the Minister of Community and Social Services to look at the needs of our children's aid society in York region.

I also bring to the attention of this minister the needs of people in Participation House. Participation House is a very special place in northeast Metro, serving people in Durham and York who are handicapped and yet want to have freedom to live on their own. I was at a special breakfast this morning organized by Cliff Moss. The chief of police was there and the mayor of our town. The chairman of the board, Bob Sherwood, and members of the board were all on hand. These people were all put in by acclamation, so I do not have to give plugs to people. I think when you do things in your community, you will be acclaimed. I want to acclaim them here in this House.

We as a society have a continuing responsibility to help those people who are handicapped in different ways to get out and be part of the community. Two proposals submitted to the Ministry of Community and Social Services would have assisted the residents in Participation House to get out there and live in the Water Street residence at Cedar Crest or at Holy Trinity Square, which is also being built now in Markham. In both these cases, space was set

so these people could be integrated into the rest of the community that was being built. The fact of the matter is that the 13 units that were set aside in the Cedar Crest Water Street property are still empty. It is not just Participation House. We also have the Villa on Bathurst Street. There are residents being moved out of the Villa who would go into these units.

The fact is that the government of Ontario, this government which is supposed to have the biggest heart of any government you have ever seen, has not found the money, the heart or the substance or the time to look at these concerns. I am satisfied that they have missed an opportunity. Maybe there is still time to do something about it, to use both the Water Street residence and Holy Trinity. There are places for people. They can be integrated into other seniors' community, such as we have done with St. George's in Thornhill, yet this government seems to have a closed mind to it.

I make these remarks now and I will copy them to the Minister of Community and Social Services in the hope that there is still another chance for this government to do something for these people within our communities.

I also want to point out another area where the Minister of Community and Social Services is failing our communities. I could not believe it, but the other morning I learned that the Family Life Centre, a group of professionally subsidized by people who can afford to pay but also by the United Way and by the government, had to reduce its services last November and December, that is, in 1990, because it did not have enough funds in order to continue to provide them.

We have a fast-growing community in the southern part of York region which has to continue to provide services for families in crisis. Yet this government, in its lack of wisdom, has not made the funding available so those services can be continued. I have to say there is something wrong with its priorities. It is something that should be looked at to make sure those who need help are sure to get it.

I briefly want to mention the problems with the school board. There have been letters. I want to quote briefly from some of the letters from the chairman of the York Region Board of Education. It is part of the Growth Boards Coalition. They wanted a meeting with the Premier to discuss the problems they were having with lot levies, in order to implement what was Bill 20, to collect the money that will be used for new buildings, new schools, new lots. Here is the letter:

"Lot levies will help us to keep up with the growth and to have the new residents who move into our areas pay for new schools. It is imperative that the Premier meet with us immediately to resolve this matter," said Mr. [Name] back on February 7, 1990.

I have to say it is only in the last week or so, some six or seven months after that letter, that they finally resolved the problem, not in the time frame that it should have been resolved, and there never was a meeting with the Premier. So many people are clamouring for an opportunity to

meet with someone senior in this government to address and resolve problems, and no one seems to be available?

I challenge this government. It is responsible not only for the funds to administer programs but also to meet with the people who have concerns about them to see what it can do to help balance it off, meet their needs, adjust them, make the changes that are required, fine-tune them. I challenge the New Democrats to be more open with the people of our society who are asking for that opportunity.

Another example where there is a failure in communication has to do with the Minister of Municipal Affairs, who failed to respond to letters from York region for months. It had to do with what the region felt it needed, and that was a guarantee or some change to the Regional Municipality of York Act that would allow the region to proceed with the 911 exchange. In correspondence with the minister, they sought that kind of legislative change that would permit the region of York to go ahead with the 911 exchange.

Because of the extraordinarily long delay by the Minister of Municipal Affairs, York region has delayed the implementation of its 911 exchange by something like six months, purely an administrative delay by this minister. As it turned out, the region did not have to have a change to the Regional Municipality of York Act, but in the meantime, the failure of the minister to deal with this issue, where a letter was sufficient rather than a change in the act, has in fact caused a delay to an important need to our community.

The member for Leeds-Grenville raised issues today with the Solicitor General on the 911 exchange. I raise it now on another level with the Minister of Municipal Affairs, who has failed again.

I point to this government. It has a chance to support another airport in the Metropolitan Toronto area. The town of Markham has tabled a proposal with this government asking for support to finance the acquisition of the Buttonville airport so that the Buttonville airport, which is a very viable airport—I think it is the seventh largest in Canada—can continue to serve the needs of our communities in York region and northeast Metro.

The fact of the matter is it would appear to me now that the Ministry of Transportation is not going to proceed with the approval of Buttonville airport. It is the kind of win-win situation where the ministry looks for outside financing first. If that is not there, it should come back and review again the viability of maintaining Buttonville airport.

I strongly believe in the need for that airport. The alternative is not nearly as good as Buttonville. They are looking at the possibility of expanding an airport up on Highway 48 and it is going to end up bringing an awful lot of traffic over the existing community of Markham. I just cannot accept that view as being sensible.

This government has a chance to continue to accelerate Highway 407. If there is anything we need, it is to make sure we build in and around the greater Toronto area an infrastructure that allows for traffic and people to keep moving. Highway 407 is proceeding but not at the pace it should. It needs to be given a far greater priority.

I cannot believe the people who are building these roads and highways. If we had people working a little bit more around the clock in the summertime, instead of seemingly only having to work on those projects for five or six hours during the day—it is probably longer. As you drive by and see the coffee break or the milk break or the rest break or the sun break, you begin to wonder how much urgency is attached to the projects under construction on the roads which cause you to detour all around them.

If the government began to say, "Look, we want to get people moving around here; we don't want to hold them up," it would start having some of these jobs worked on over a 24-hour period so that we could get the traffic going again. Every dollar spent on transportation nets out to be \$10 more that it generates within the community.

I am saying transportation is an urgent need within all our communities. Certainly it is within mine. We need to see an acceleration of the work done on Highway 407 and we also need to see something done about the grade separation for the rail transportation systems, with the north-south route intersecting with the east-west route. There will have to be a major grade separation on the rail tracks on either the Thornhill line or the Unionville-Stouffville line. We realize the high cost associated with that is something in the order of \$70 million, to build a grade separation of the kind I am talking about, but what we need here is a rail service provided to the areas north of Toronto so that people have something of the kind of day-round service that is provided on the east-west circuit through Oakville and Oshawa. We deserve, we need and we are paying for the kind of services that would give us far more service during the daytime through Richmond Hill, Thornhill, Langstaff, Stouffville, Markham, Unionville and Milliken.

One could go on with a number of other areas where this government needs to understand the application of funds. I represent a community that is very fast-growing. We are an area that is different from those that are stable, that have been established for a long period of time. Somehow this government has to understand that we have different needs than those that have been established for a longer period.

I hope we will find ways in which this government can work out that kind of equity. I do not think it is easy. I wish there would be a chance in which we as a Legislature could sit around a table and work it out together. Instead, I do not see that at all. I see it as an increasingly adversarial system where the anger from those in opposition is being increased by virtue of the disregard the government shows to our issues. Personally I have not sensed the depth of anger that I feel in this House today and more recently. It has to do with the breakdown of communications, the breakdown of working relationships.

The ministries are showing an increasing disregard for the processes of this House. The Ministry of the Environment makes announcements outside the Legislature, not in here, and it continues to do it. I ended up having to wait for two days to receive information about what it was the minister had announced. I was able to get it in the Toronto newspapers, but I was not able to get it from the minister

herself. That is the kind of breakdown that leads to increased frustration and the increased set of tensions that are making this place a more unpleasant place to work.

There are other issues. The money is going to be there. They are going to get it approved. I know that I am not about to disagree with the fact that the civil servants' salaries have to be paid. The government must go on, but it is important to put on the record that there are a number of things that are wrong in this province. The government has a chance to correct them. It should not radically overhaul it, but let's work together to try to make it a better place to live.

1700

Mr Hope: One thing I always do when the member for Markham speaks is listen to what he has to say, because he raises some good points at times. Then at other times he gets a little lost in political partisanship and that is unfortunate.

The member raised a number of concerns dealing with the Ministry of Community and Social Services, the lack of funding, the direction, but these problems have not occurred just in a year. They have been problems of funding mechanisms that have been there for years. We understand the rapid growth he talks about around the Metropolitan Toronto area, but one of the hardest things we have to understand in the Conservative Party, and also in the Liberal Party at times, is that they are telling us to spend and then they are telling us not to spend. It is hard to get the direction.

I know the member for Markham really speaks sincerely about the community he represents, but in the tough economic times we are faced with today in Ontario, if he wants us to help those community groups and the community service programs that are out there, I think it is very important he makes sure he does not waffle on situation here. If he wants to spend, we can make arrangements to straighten out the funding mechanism to make sure that the service programs he has talked about, children's aid funds, for instance, are addressed on those issues.

One of the unfortunate things that I must say to the member for Markham is that these are not problems that have just occurred in one year; they are problems that have escalated over years. It has now become a financial barrier to those service programs. We will be addressing a lot of them, and I am very confident that this government, through its communications that the member so eloquently said we are not doing—we are communicating with those groups and are trying to make sure we can address the needs of the communities not only in Markham but in the communities throughout.

Mr Bradley: I am always interested in the speech of the member for Markham, because he has a wide variety of interests in issues confronting the House. One of them is that he did not confront with a degree of specificity, as John Clark used to say, that I would have liked to see was the issue of being able to see him on TVOntario at night. We are very fortunate—this is the fifth anniversary, I believe, of television in the House. I recall putting a resolution before the House with a lot of support from Elie Martel, a

time the member for Sudbury East, about televising House.

Once one becomes a member of the government it is always that good an idea, but I know that the member Markham, and probably it slipped in his notes, would have wanted to say he wanted to see TVO, the television work of the province of Ontario, showing question period back at the old time of 11:30, when most people could not go up at night and watch what went on, because not everybody can watch this on cable, not everybody can afford it. The NDP has long said that it is a supporter of lower-income people, so I know that the people in the NDP will be asking TVO to put the question period on at 11:30 at night or even earlier at night.

Interjection.

Mr Bradley: I know that the French version is on earlier in the evening and I try to remember my high school French well enough to understand what questions are being asked and which are being answered appropriately. It does not seem to make much difference whether it is in French or English in any event.

Nevertheless, I hope that all of these people who say they are protectors of the interests of lower-income people will make representations to that person who is so successful with the spending of government dollars, the chairman of TVO, to ensure that we have it back on at 11:30.

Mr McLean: I just want to comment briefly on the member for Markham's comments with regard to the monetary policies of this government. He touched on the subjects which are very close to my heart. One of the main ones is where he talked about the school funding, where this government campaigned on increasing the costs of education back to 60% over five years. I believe that the government has reneged on that promise. It has not been moving forward.

He talked about the garbage situation in Ontario and when we look at the flip-flops that have been made it certainly leaves cause for concern. It has even been announced lately that the minister may be wanting to increase the GTA so that she can get rid of the garbage in the surrounding areas and still be classified as under the GTA. It is something to watch for, because it may happen, and it may be on some agricultural land where the Minister of Agriculture and Food may have some concern.

The member for Markham also talked about the Toronto-Buttonville International Airport. I think this government should be looking at being a partner in that facility, because it is an area where it is needed. I think the remarks that he made with regard to the Buttonville airport were very important.

The member also remarked regarding transportation and the GO trains. When members look at what has taken place in this province in the last few years and when we look at the road systems we have in this province, we have to ask the question, who put those roads in this province over the past 40 years? We all know who did it—it was the taxpayers—but it was the leadership that was shown that made it happen. I say to the government, and I compliment

the member, that greater emphasis must be put on the expansion of our major highways.

Hon Mr Buchanan: In the spirit of the member's comments, towards the end of his speech he talked about the spirit in this Legislature. I would like to make a few very brief comments. I would like to pay tribute to the way he conducted himself. He was able to say some positive things about what the government has done. He was able to criticize some of the things we have done in a fairly constructive way. This government, of course, is not above criticism. We sometimes may make mistakes, and the opposition is here to remind us of those things. We appreciate that when it is done in a constructive way.

I would also say that the member addressed the topic that is before us today from a different ministry's perspective and from the municipality and riding he represents. I think if all members in the House when they are speaking to a bill would try and address the concerns of their constituency, this would be a much more positive place in which to work. I would like to compliment him on the way he conducted himself. If all members did the same in this House, we would have a much more positive place in which to work.

Mr Cousens: First, I want to thank the Minister of Agriculture and Food for his remarks. I sincerely believe we have to try to work together, and when we do that, we will somehow make this a better province. The spirit has to be there and we have to continue to try to find that spirit. I appreciate the minister's remarks, and that is certainly where I want to come from.

I also want to thank my friend and colleague the member for Simcoe East for his eloquent statements. I think there is a real sense of understanding when you can have someone from way up north of Metropolitan Toronto understanding the needs of those who are our suburban residents around the greater Toronto area. So I thank him for that support. I think that is part of the thing we also need in this House. We cannot just have people saying, "Hey, I want something for Toronto," without also recognizing that northern Ontario has great needs and agricultural Ontario has needs and we have to balance off those needs with one another.

That leads to the problems I have with my friend the member for Chatham-Kent. He fails to see the balance that has to take place. When I pointed out that we have immediate problems right now with the Water Street seniors' home, the Holy Trinity Square, the Family Life Centre, the children's aid society, those are all very strong current issues that are before this ministry and this government in the Ministry of Community and Social Services. I am saying get on the ball. There is still hope, and members cannot just keep saying, "Blame it on the Liberals." I think they are to blame for an awful lot of our problems, but there are issues right now which this government has to get hold of and take seriously and respond to.

My final remark is I did not know until the member for St Catharines just told us that it is the fifth anniversary of this telecast that people are watching. How painful for those 250,000 people to watch this group of amateurs

standing up and doing our bit. All I can say is that I agree with them: It should not have to be something you have to pay for. Why not put it on CTV at 11:30?

Mr Ruprecht: Our debate on interim supply is coloured by one realization: We are broke. We are unable to pay our bills. In fact, it is so bad that our debt is now in the neighbourhood of \$9.7 billion—

An hon member: And rising.

Mr Ruprecht: —and rising. If most of us were to operate on the same basis as this government, we obviously would be unable to pay our bills, we would be unable to pay our mortgages and we would be out on our ears. The problem here is that this government is concentrating not on wealth creation but on wealth distribution. They simply cannot and they will never be able to get out of debt if they are unable to concentrate on wealth creation.

1710

What does this government do to keep us competitive? To be fair, there is one good thing that happened just last week, and that was the Minister of Skills Development realizing that we obviously needed the necessary skills to be competitive with other countries around the world. What the government should be concentrating on—and obviously we can play a part in this—is ensuring that the brain power is being channelled not simply into paying and increasing welfare costs but into looking at what we can do in order to access a market of 270 million people.

It is an opportunity we have. While most of us would probably disagree in terms of what has happened with free trade—the point must be made—we have to look for opportunities to access that market. This government is changing the whole focus of what it ought to be doing, looking at the opportunities, and not the other way around.

The question should be raised, how do we get out of this debt, since we are broke and cannot pay our bills? It is obvious, I think, and we have talked about this a number of times. For instance, we all know that if we want to be competitive, we have to ensure that we create jobs.

I recall and I know my colleagues will recall one of the promises this government made not too long ago: “We’ll produce jobs, jobs, jobs.” It almost sounded like our Conservative friends, but the promise of jobs, jobs, jobs never came true. In fact, the opposite happened. What has really happened is that we have seen the jobs that were promised fleeing the marketplace, fleeing the province, and consequently it is not as my colleague says, “More jobs, jobs, jobs,” but less jobs, jobs, jobs. Who is going to pay our bills? Who is going to pay for this interim supply bill today?

Obviously we are being overtaxed, and money is fleeing the province. The reason is that when some of the European people who have had millions of dollars invested in Ontario saw the NDP coming in to take over the government, they equated that with communism in Europe and consequently said, “We don’t wish to take a chance on this and we’re pulling our money out.” That can be documented and I am really sorry to say that has indeed happened.

I do not wish for this to happen, but the question has to be, how do we pay our debts? There is no doubt that what

we have to do and what we have to concentrate on is ensure that the creation of jobs is totally connected not only with the idea of natural resources, shipping them out and going back to the old concept of Canada being the nation of hewers of wood and drawers of water; the point has to be that we have to create labour-intensive industries. That is the only issue here. That is the only way we are going to get our bills paid. No other way is possible.

What ought to be done is that this government has to have a shift of attitude, and the shift and the concentration have to be towards job creation, labour-intensive industries. Let’s look at the statistics. We have lost a hell of a number of jobs, but some people, some gurus, some pig heads, as some of the members call them, are saying “Well, maybe it’s not so bad. We haven’t quite lost as many jobs as we were expecting.”

The point is that labour-intensive jobs are necessary and while there may be an increase in some sectors of the economy in terms of job creation, the question has to be raised, what kinds of jobs are being created? It is not the kinds of jobs we want; it is not the union kinds of jobs we wish for. They are not the kinds of jobs that pay mortgages. The jobs are part-time, they are not labour-intensive. The jobs in the service industries, which pay a minimum wage, cannot pay mortgages. It is clear what we need and it is clear what this government ought to be concentrating on at this time—not wealth distribution but wealth creation.

The reason people are leaving this province as well as that they are not only seeing increases in taxation, they are also seeing how their money is being applied. The question for this government should be, “Are we spending our money effectively?” It is obvious what the answer should be. It is not effective. We have lost a number of jobs. We know it is a fact today that you can make more money being on welfare than having a job. When people work all hours of the day, and some even at night, see their money and try to pay their taxes, which in some instances are up to 40%, 45% or 50%, and then see the money being wasted in a way that is not being productively creative, it is wasted to the point where they find thousands of dollars being spent on liquor and wine in some of the ministries that cannot create jobs that will pay enough, then we know it is a sad day for Ontario.

It has to be pointed out that the government still has a chance. It is not too late. How long are you going to be here as the NDP government of Ontario? Two more years would you say; three, four or even five?

The Deputy Speaker: Order. Address your remarks to the Chair.

Mr Ruprecht: I just want to point this out because it is not too late to pay this interim supply bill. The government still has a chance to shift its attitude from wealth distribution to wealth creation. If it does, we will help the government. This is not a partisan remark. I know my colleagues would all agree with what we would like to see this province turn into.

This province should be the flower of North America. It ought to be, when all the emigrants across the world are looking to Ontario as a place where they want to settle, not

cause our cities are crime-ridden but because there are jobs here. The only thing that will attract people to Ontario is if we invest money in it is if there are jobs, if there is a stable economy, our force and if people can get a return on their investment. Those are the facts the government ought to be concentrating on—job creation, not job losses. That is why I think it still has a chance.

The government might have two more years to go before the next election; it might have three more years before the next election. In fact, if it is running right against the wall, it might even have four years before the next election. They had better have one thing clear in their minds, one thing for sure, because the voters out there and the residents of Ontario will judge them badly and the responsibility will be on the shoulders of the government if it bankrupts this province. They are already doing it in a big way. The one thing they should remember is that the debt is clear; it is \$9.7 billion. What will the government do next year? I am hoping that with our help the shift will take place and the debts will be reduced, but obviously they need some co-operation.

Let me just address two more issues that are important to me in my own area. I recently sent a letter to the Minister of Housing. Do the members know why I did that? Because she said to me one day: "At 1215 Queen Street West we've got a wonderful program. We're going to give you 97 supportive housing units which will house, obviously, some ex-psychiatric patients, which all of us would support, and those who need housing. It's great." I said, "Why would you want to put it on that corner?" All the residents are upset, not because of the not in my backyard syndrome; in Parkdale we take more than our fair share and we greet people with open arms from all over Canada. That is not the point. The neighbours have said this does not fit into this community, not only architecturally. If the Minister of Housing will give us an answer, what will she say with the area and with the apartments or houses people will come from when they move into this new unit?

20 It is one thing to say it is great for Parkdale, and most of the people who will go into these new units will come from Parkdale, but obviously that cannot be the answer. The answer must rest with one fact, and that is that we must improve social housing in the areas where people are. We must look at these slum conditions people are living in presently and improve them. If we do not do that, if we simply supply new housing and say, "Your residents are going to be helped," the question should then be raised: What happens if they move out from slums into the new ones? What will happen to the slums?

What is the answer? What will happen to the slums? The NDP government does not have a policy. It does not have an idea. It does not have the initiative to do anything about this. It is leaving the slums as they are and not improving them. All this government is doing is spending good taxpayers' money, millions of dollars, without looking at the community, without seeing what the community wants, without being effective. That ought to be one of the reasons the NDP has come into this place and the government.

My final point is on drugs. Let me simply make a recommendation to this government. When we were in office, we had established the provincial anti-drug strategy. They know it because they applauded the Liberals previously for establishing a provincial anti-drug strategy, and even today we occasionally get some comments from them saying that was a great idea.

The provincial anti-drug strategy obviously must be overhauled, because conditions keep on changing. It would also be incumbent on this government not simply to take the Liberal ideas we brought forward when we created the anti-drug strategy, but to overhaul it, to make it more effective. Obviously that is one of the prime targets in some areas of Metro Toronto. We all know there are crime hot spots. We all know what the police tell us. We all know the police say crime is very much connected with the illicit drug trade. If we have to spend millions of dollars because criminals are on the street and because they are on drugs and drug trafficking is taking over some neighbourhoods and people are feeling unsafe, and if prostitution along with drug trafficking becomes a situation that is unbearable for some neighbourhoods, obviously this government ought to do something specific.

One thing I would recommend specifically, as the critic for the provincial anti-drug strategy, is to look at the recommendations that were made: the recommendations we have made, the recommendations Metro council has made, the recommendations the city of Toronto has made. Essentially we have to be tougher and we have to have the treatment centres. As my colleague the member for Scarborough-Agincourt said, we need the beds. Simply cutting off access to the US is supported by us, but that cannot be the end result. When you cut things off, you have to produce the beds and the treatment centres that are essential to deal with people who need the services. That is necessary. The money obviously has to flow in the direction in which it is most needed to help those who are on drugs and who want to get off drugs. It is obvious.

I am asking this government today to ensure that the necessary funding is in place, that the necessary effective programs will be in place to deal with drugs, and this would include a number of ministries. For instance, the Minister of Transportation, the Solicitor General, the Minister of Health and the Minister of Correctional Services all have a very direct role to play in terms of fighting the illicit drug trade. We will be addressing ourselves again to this issue.

Finally, let me simply say that there will be no disconcerting opposition from us if the government follows some of the guidelines it has set previously. We wish them well, but we wish as well that they would look at the recommendations the opposition has made and act on them, because it is in the interest not only of the NDP or of the Liberals or of the Conservatives, but of all of us, who really represent all of Ontario. While we necessarily have to co-operate on some of these issues, it would pay this government to think about what the opposition is saying and to ensure that some of the recommendations we are making are being instituted.

Ms Poole: I am pleased to join in the debate today as we talk about interim supply and the importance of a positive fiscal policy for the people of this province.

I came across an article in the *Toronto Star* the other day that to me epitomized much of my own thoughts about the current government, because when you are looking at fiscal policy, you have to go beyond that. You have to look at the beliefs of the party involved. You have to look at its history. You have to look at its ideology. Then you understand what formulates that fiscal policy.

The article I am going to quote from is by George Fallis, who chairs the department of economics at York University:

"Everyone was surprised when the New Democratic Party was elected with a solid majority in Ontario and most were optimistic that a social democratic party could provide fresh analysis for the challenges in the 1990s. The NDP offered a greater concern for unemployment, the environment and social justice, and we welcomed this. However, optimism has quickly turned to dismay as each policy emerged—the budget, labour law, waste disposal, the housing framework and so on. These were not fresh thinking, but heavy-handed application of approaches discredited elsewhere.

"It is a puzzle: Why have the NDP programs been so wrong-headed?

"In part, it is simply inexperience in governing. Many of the caucus and even the cabinet had never before held elected office, let alone run a government. New governments tend to distrust the advice of the civil service. Also, it is caused by the disorientation of shifting from an opposition mentality to a governing mentality. This is especially a problem for the NDP.

"However, the causes run deeper. The NDP is not just a political party; it is a social movement with a 'we-they' world view. There is much wrong with the world and 'they' are to blame and 'we' will fight to correct it. In its crudest form, it is the old class struggle between labour (now called ordinary Canadians) and capital (now called big business). It's 'us' against 'them.'

"The we-they mentality means that the NDP never instinctively thinks about the financial cost of any program. If the program must be paid for, just raise taxes on 'them.'

"But most significantly, the we-they world view has meant the NDP has misunderstood what has been happening in Canada and in all Western countries over the last 15 years....

"One of the most obvious, yet painfully learned, lessons of the last 15 years is that financing social programs and fighting a recession with massive deficits is not a sustainable long-term strategy. At the very least, the government gives up necessary fiscal flexibility in the future. The Rae government gave up fiscal flexibility for the rest of its mandate in one budget. Fiscal restraint will be the order of the day for the next few years. As the NDP considers raising taxes, it becomes clear that there aren't many of 'them.' 'We have met the enemy and he is us!' cried Pogo. Two lessons learned.

"The central dilemma for democratic socialists is how to pursue social justice with fiscal discipline. The ends of

full employment, a clean environment and empowerment do not have to be abandoned. But the means must be rethought and the constraints recognized—especially the fiscal constraint and the fact that people and capital are increasingly mobile. The intellectual left in Ontario is failing the very constituency it claims to serve by refusing to acknowledge this....

"Ontarians will pay the taxes for high-quality public services and social protection if the government provides the services efficiently, pragmatically and with fiscal responsibility. The first months of NDP government are eroding this willingness as fast as the pernicious teachings of neo-Conservatives.

"We ordinary people can only hope that history is reinterpreted"—

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Mr Wiseman: On a point of order, Mr Speaker: I would like to apologize first for interrupting the member, but there really is an obnoxious odour emanating from the desk of the honourable member for Markham and I think we should ask him to remove it. I think he has made his point about pollution.

The Deputy Speaker: It is not a point of order.

Ms Poole: Actually I was just at the last line of this article and then I have a few other comments to make. The closing remarks of Mr Fallis were, "We ordinary people can only hope that history is reinterpreted and the rest of the lessons of the last 15 years are learned—quickly."

From this article, which I heartily concur with, I think it is obvious that a party's history and ideology do affect its fiscal policy. But where this government has got into trouble is that it has not put the planning in place that one needs to have the proper programs, to have the proper fiscal planning and to have the proper spending.

Just yesterday while I was sitting at my desk, I made a list of areas in which the NDP has shown that its planning has been non-existent and, because of this, has had to retreat. They had to change their plans, such as they were; they had to change their minds and come out in full retreat. One of my colleagues recently said that every time the NDP retreats, the whole province breathes a gigantic sigh of relief, and so it is for many of their policies.

Look at the list of retreats from NDP promises: first of all, the heart and core of the NDP, auto insurance. Driver-owned auto insurance a pipedream? Yes, because this government realized that its pipedream was not realizable.

Second, the area I am very familiar with, the area the government promised to present to the people, real rent control: one guideline increase per year based on inflation and nothing else, no extra bonuses for capital or for financial considerations. That is not what the people of Ontario got. They did not get real rent control.

Another area of housing where there has been a recent retreat, which again gets back to the fiscal policy, is that in June this government very proudly announced that it would make affordable housing its first priority for government lands and when it is getting rid of surplus land. But because the budget was so devastating, because the deficit was so devastating, recently the NDP government

has had to backtrack on that and now it is saying that surplus land for affordable housing will have to be sold to help pay off the deficit. Again there is no planning.

Look at the labour legislation. First they introduced Bill 70. Then, to appease the business community, which rose up in arms, they had to gut Bill 70. Also in the labour area, they have been stalling pay equity legislation, which they promised in the spring. It is now almost November and still not here.

Look at their retreats in the area of energy: first of all, withdrawals of sections expanding Hydro's mandate in Bill 118, a total retreat by the government; second, in their campaign promises—I think members all remember this—they promised no new nuclear facilities but also the phasing out of existing reactors. Where is this policy? Again a retreat. They backed down on Eliesen's salary.

Going on to the environment, this has been one of the biggest disappointments in the retreats by this government. I remember the current Minister of the Environment when she was in opposition and when she was promising to require the strictest of environmental assessments and protections for landfill sites. Now what do we find? She has completely reneged. I remember her also criticizing the Liberal government for not enforcing the 30% quota for glass pop bottles. The problem has only got worse since that time and this Minister of the Environment does nothing.

The NDP promised an immediate ban on CFCs in flexible furniture, foam and rigid foam insulation. An immediate ban? Where is it? They promised a clean air bill within six months. They promised an immediate environmental bill of rights. They promised they would pass the Ontario Safe Drinking Water Act right away. Yet what do we hear? We either hear nothing or the fact that they are going to study it or commission on it for another year or two or 10.

Then we get down to Treasury. During the election, the NDP promised all sorts of things, such as a speculation tax, a wealth tax, new corporate taxes, new minimum wages, all sort of things. Yet what do we find? They have siphoned them all to the Fair Tax Commission and said to the people of Ontario, "You have to wait."

They have retreated on the gas guzzler tax, which was an incredibly ill-thought-out scheme in the budget.

If members remember this—in fact, the Minister for Northern Development and Mines is sitting here right now and I think it was in her brochure—they promised they would reduce the sales tax from 8% to 7% immediately. It was in the minister's brochure.

They promised to lead the tax revolt against the GST, again a campaign promise, but what happened to the revolt? It just sizzled down to nothingness.

We get to education. You might say they have done nothing on education, and that would probably be a worthy comment, but what they did promise on education was 50% funding by the province. Where is this promise? In thin air as well.

Sunday shopping: They promised a common pause day, but if there is a common pause day in their current legislation, I challenge them to tell us what that common pause day is. Recently when they bowed to demands to help save our business community by allowing stores to

open during the Christmas season, they said, "We're going to do this, but only for the month of December." They were willing to abrogate what they called a common pause day in December but not the rest of the year. It is poor planning.

Transportation: It seems again they are changing their mind on the Red Hill Creek Expressway. They talked about GO Transit to Peterborough and Brantford and how they were going to expand that, but I have not seen it yet.

The Ministry of Revenue is another area with which I am quite familiar. When they were in opposition, their party had a policy where they would not support the further introduction of market value assessment in Ontario. Yet this same Minister of Revenue stood up in this House this spring and said that they are proceeding with the Metro market value assessment proposal.

Universities and colleges: This was the party that first promised to eliminate tuition fees, and then it promised to freeze tuition fees, but instead what it did was raise tuition fees.

Finally we get to the whole area of social services, where the NDP promised to put food banks out of business by fighting poverty. I remember the Minister of Community and Social Services standing up last November and saying to the opposition, "Give me three months to end poverty." I only wish it were possible, but to me that represents the idealism, and some unkind people would say the naïveté, of this government, that it could eliminate poverty in three months. What I want to know is, what are they doing? What steps are they taking to eliminate poverty?

Also in the area of social services, they promised 10,000 new non-profit child care spaces and subsidies on 10,000 spaces in each of the first two years. This year 5,000 spaces were promised, but the problem is that this government's ill-conceived viewpoint of how to deal with the commercial child care sector has meant we have lost as many commercial sector spaces as we have gained in the non-profit sector. The net result for the child care community is that it is badly suffering and it is looking for a signal from this government that it is going to act to change this.

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Both from its fiscal policy and its social policy, this government has to learn that planning is essential in government. You cannot have a sham of a consultation process that is not meaningful, that does not allow enough time, that does not involve all the parties, that does not listen to the input, that rushes things through and then expects to have not only a good fiscal plan but a good social plan. The people of this province over the last number of months have indicated quite strongly that they want this government to shape up, or in three to four years from now it will be shipped out, because they are not willing to sustain taxes. They are not willing to look at the camouflage of this government that has a \$10-billion deficit.

But that is not the worst of it. That in itself is horrific, but look at the fact of next year, the year after and the year after that. Look at the deficits they are projecting to incur for the next four years. In the next four years this government is going to double our provincial debt, and I do not know whether the people of this province even realize that.

I think many of them do. Certainly in the business sector they realize this and it is one of the reasons this government has no credibility in the business sector. They have no credibility because of the budget this year but also because of the flagrant, irresponsible and wild spending projected over the next four years.

People could accept that in the time of a recession things are different, that perhaps there would have to be some deficit incurred. I think we are willing to concede that to the government. This was not going to be the year of the balanced budget, but one thing is clear: The people of this province expected constraint and restraint. Of course the NDP responded eventually, some six months later, by saying it was going to restrain. What they did was to freeze MPPs' salaries. That is a nice symbolic gesture. It is always very good to do that. The public is fully supportive of freezing politicians' salaries, but they froze 2% of the salaries. What did their buddies in the union get, 6%? This is what is called collective bargaining. You hammer the symbolic few and meanwhile the fiscal situation rages out of control because you are not getting at the root of the problem.

I think it is obvious that the people of this province are at an all-time low in tolerance. They are not willing to entertain high taxes. They are not willing to carry a \$10-billion deficit. They are not willing for this government not to have a long-term plan. The Treasurer, our master storyteller from Nickel Belt, for whom I have the greatest imagination—not imagination, that is not the word; respect—that is what I have for him.

An hon member: He uses his imagination.

Ms Poole: He uses his imagination; that is right. The Treasurer and I share at least one thing and that is our lack of height. That has not impeded us in any way. I ask the Treasurer, is that not right?

Hon Mr Laughren: It has not hurt our relationship at all.

Ms Poole: It has not hurt our relationship. I am not sure it has enhanced it. Nevertheless I am sorry, Treasurer, you were not here to hear the other comments I made.

The Deputy Speaker: Please address the Chair.

Ms Poole: I am sorry, Mr Speaker, particularly when we have such a fine upstanding Speaker. Far be it from me not to make my remarks through you. I apologize.

When I make references to the Treasurer, I have a lot of admiration for him, but unfortunately I think by the time he figured out what Treasury was all about and what the whole idea of fiscal responsibility was all about—

Mr Sola: And what reality was all about.

Ms Poole: And what reality was all about, as my colleague the member for Mississauga East says. By the time he found out what this was all about, the cat was among the pigeons, the horses were out of the barn.

My leader has just arrived, so people will be most delighted to know that I am winding up my remarks.

I just say to the members of the NDP, fiscal responsibility is not a luxury these days, it is a necessity. I hope they will look again at their fiscal responsibility. I know

when my leader gives his words of wisdom to them, they will listen, because my leader will try to guide them, to be helpful and co-operative. I know that is what this NDP government needs. They need advice and they need to listen.

Mr Bradley: The speech was excellent, as we always expect from the member for Eglinton. I was wondering why she did not include in her pleas to the government for permissions and so on the reinforcement of the position of the members for the Niagara region in favour of a CAT scanner for one of the hospitals in that area. She probably neglected it at that moment because she knew others would raise it.

One of the other things I wondered whether she would talk about was that I hope I have been able to assist her and the government in saving at least one job in the province of Ontario. I noticed that when I asked the question of the Premier this afternoon about the member for Welland-Thorold and the member for Lincoln, who had been fired from their jobs by the Premier because they dared to dissent from the government, the government House leader, the chief government whip and the member for Lincoln all disappeared into the back room.

I was hoping as a result of this intervention on behalf of my colleagues from Niagara, because I have a lot of empathy for them, that perhaps by the time they got out to the scrum, the Premier would have reinstated the member for Lincoln to his position of Chair of the standing committee on finance and economic affairs of the Ontario Legislature. I hope that is the case. If my intervention has assisted that member in retaining his job, I hope I can be equally successful with the member for Welland-Thorold, who dared to dissent in the standing committee on administration of justice from the line that was spouted by the government and those enforced by the whip of the government. He happened to say he was disappointed because he felt the people who had voted NDP on the Sunday shopping issue had been betrayed. I hope the member for Lincoln has been reinstated to his position and I hope the member for Welland-Thorold will be reinstated to his.

Mr Elston: My interventions will be brief; there is not much time left. Part of that is my difficulty. I want to thank my colleagues for holding forth with pearls of wisdom which all have taken in. I have been doing an awful lot of conversing with people right around the province these last few weeks. Even before, when I was not the interim leader of the Liberal Party, I was talking to the folks at home in Bruce county, and never before have I felt a time when there was need for leadership, both fiscal and otherwise, in this province to the degree that there is now.

There is an attitude in this province that it is no longer a joy to live here, that in fact it is onerous to be successfully in business in this province, that it is a very real insecurity now to be a working woman or man in the businesses in our province, that it is a very serious problem for those who are suffering from illnesses or whatever, unlike the past. That goes over a whole series of years, not just the last five. There is an insecurity attaching to the

personal outlook of so many people in this province that it scares me something fierce.

I am worried that successful people are looked upon as being women and men who have somehow done something wrong. There has to be in this province a sense that this government honours people who have done good things, who have been successful in employing people, who have been successful employees in the workplace, who have been successful students in our schools. There has to be a time when the budgetary work of this province and the policy work of this province is conducted by people who take time out of their schedules to pat somebody on the back. There is not that in this province.

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It distresses me more than ever that when we speak about the brain drain we are not talking about some historical perspective on the 1960s, when that was a real debate, but about the 1990s when people are thinking of leaving this province in larger numbers than ever before. This is a reflection of a lack of leadership from a fiscal and economic point of view in a way that has undermined the real drive this province used to have to be successful. There is nothing wrong with being a successful Ontario. There is nothing wrong with being a successful businessperson. There is nothing wrong with being a person who is successful and skilled in the workplace. There is nothing wrong with being a successful volunteer. But somehow there has been a removal of the drive to allow people to be happy and comfortable in being successful.

Hon Miss Martel: I've heard it all now.

Mr Elston: The member for Sudbury East is of course downplaying this sort of stuff. Listen to these people yapping over there about, "You've said it all now." All we have said is that there is no encouragement for people to do stuff right any more. There is nobody standing up for traditional Ontario values about leading the country economically, politically and culturally—

Mr Abel: They're nodding their heads, the bunch of lumpskins.

Mr Elston: —in a way that makes sense for the people who are down and struggling with real-life problems of job security, insecurity in their homes as they are ripped apart by people invading their personal homes and insecurity because they are not sure they can have access to good-quality health care or education.

I am only trying to say today as we debate supply, this is one small snapshot of their fiscal planning, that there is not for us the leadership that allows people to feel positive about themselves and the future of their business, their job and their children. If there is anything government ought to do it is strike a balance in this province that allows people to feel good about themselves and about being here, not about moving someplace else. We want them to be here. We want them to be in Ontario so we can have real jobs created.

Mr Abel: Say yes. Say yes.

Mr Elston: We want to have really successful people feeling they are appreciated for being here. We want men and women who believe they are secure in their homes.

There are some people who mock our concern for the way our province has gone. The folks across the way are doing that because they are supposed to. That is what their job is, to belittle the concerns raised by real men and women like us who are in our places as opposition politicians. I have committed myself to co-operating at whatever time I can with the Premier and to supporting him in his initiatives with respect to the Constitution because our very existence as a nation is under assault. I have pledged myself to say good things when something good can be said, but the people across the way have to listen when I express the concerns of men and women who are talking to me, and talking to them, about whether their 35-year history of retailing in any small town in the province or any one of our streets in this large city of Toronto or in London or wherever it is at risk.

All I am saying is that if these people do not change their ways and find a new balance, we will find ourselves in very serious difficulties. We will lose the edge. We will lose the people whose brains have been driving us as a leading factor in economic and political debates in this nation for well over 100 years. I despair. I wish to use interim supply, these brief few moments, these last seven or eight minutes, merely to issue the warning. That is all I wish to do.

I wish to find, with the Premier, the new balance. There are many types of workplaces that can contribute to the economic resurgence of Ontario. There are very many forms of business structures that can allow us as a province again to develop a leadership roles in helping Canada resume its rightful and aggressive economic posture in international fields. There are ways to manage our expenditures so that we are not placing the Ministry of Community and Social Services against the Ministry of Health in looking for needed dollars. There are ways to manage the dollars that are being brought in from taxpayers all over the province to ensure there is equity and fairness in the distribution of those resources so that each of the areas of our province can be looked after in a reasonable and honest fashion.

I might say, if I had the time, that one of the biggest problems for the people who are out there on the streets is that they cannot find the way to provide more money for the job government does. They are besieged at a time when they do not know that their job is going to exist, that their business is secure and that their very person is secure. They are trying to figure out how in the world they are ever going to make the payments for new taxes. All I am doing is telling the government that this caucus is prepared to work constructively, without finger-pointing, in a fair fashion, giving credit where credit is due, but also wanting to make a contribution in a critical fashion where policies are announced.

We hear, by the way, that the Minister of Health will be in Kingston tomorrow at 9:30 to announce long-term care in that area. When she returns here to deliver that same message to us, that there is a long-term care strategy, we will be pleased to congratulate her for at least making the first step after more than a year of dithering. But I hope to have her here. We can only be of help if we are allowed to

speak, and to speak freely, in this place and in other places where we choose to take our message.

That is at the very background of the freedom of speech we all stand for in this House. I exercise it today to tell these people to wake up and re-establish the balance or stand to lose it all. For a woman or a man who is not sure he or she will be working, all can be lost if the government does not find a balance. For children who need education, all can be lost if it does not strike the balance. For government members and me, as politicians, all will be lost in our

attempt for public administration for the good of the public if we do not find a balance.

One last line: If we are to be successful, this government has to stop campaigning and start governing.

The Deputy Speaker: All those in favour of Mr. Laughren's motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Motion agreed to.

The House adjourned at 1800.

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Whip du gouvernement**

kande, Zanana (St Andrew-St Patrick ND)

**en, Hon/L'hon Richard (Hamilton West/-Ouest ND)
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Development/Ministre des Collèges et Universités,
ministre de la Formation professionnelle**

rnott, Ted (Wellington PC)

er, Charles (York North/-Nord L)

**isson, Gilles (Cochrane South/-Sud ND) PA to Minister of
Northern Development and Mines; PA to minister
responsible for francophone affairs; Vice-Chair, select
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ap du ministre délégué aux Affaires francophones,
vice-président du Comité spécial sur le rôle de l'Ontario
au sein de la Confédération**

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permanent des comptes publics**

**aplan, Elinor (Oriole L) Chair, standing committee on social
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sociales**

arr, Gary (Oakville South/-Sud PC)

**arter, Jenny (Peterborough ND) PA to Minister of
Citizenship, responsible for human rights, disability
issues, seniors' issues and race relations/Ap de la ministre
des Affaires civiques, déléguée aux Droits de la personne,
aux Affaires des personnes handicapées, aux Affaires des
personnes âgées et aux Relations interraciales**

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financières**

hiarelli, Robert (Ottawa West/-Ouest L)

**hristopherson, David (Hamilton Centre/-Centre ND)
PA to Treasurer of Ontario and Minister of Economics/
Ap du Trésorier de l'Ontario et du ministre de l'Économie**

**hurley, Hon/L'hon Marilyn (Riverdale ND) Minister of
Consumer and Commercial Relations/Ministre de la
Consommation et du Commerce**

leary, John C. (Cornwall L)

onway, Sean G. (Renfrew North/-Nord L)

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justice, whip adjoint du gouvernement**

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Ministre sans portefeuille, whip en chef du gouvernement**

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des affaires sociales**

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Conservative chief whip/Whip en chef du Parti
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Confederation/Ap du ministre des Affaires municipales,
président du Comité spécial sur le rôle de l'Ontario au sein
de la Confédération**

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Energy/Ministre de l'Énergie**

**Fletcher, Derek (Guelph ND) PA to Minister of Consumer and
Commercial Relations/Ap du ministre de la Consommation
et du Commerce**

Frankford, Robert (Scarborough East/-Est ND)

**Gigantes, Hon/L'hon Evelyn (Ottawa Centre/-Centre ND)
Minister of Housing/Ministre du Logement**

Grandmaître, Bernard C. (Ottawa East/-Est L)

**Grier, Hon/L'hon Ruth A. (Etobicoke-Lakeshore ND)
Minister of the Environment, minister responsible for the
greater Toronto area/Ministre de l'Environnement, ministre
responsable du Bureau de la région du grand Toronto**

- Haeck, Christel (St. Catharines-Brock ND)
Hampton, Hon/L'hon Howard (Rainy River ND) Attorney General/Procureur général
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Haslam, Hon/L'hon Karen (Perth ND) Minister of Culture and Communications/Ministre de la Culture et des Communications
Hayes, Pat (Essex-Kent ND) PA to Minister of Agriculture and Food (agriculture)/Ap du ministre de l'Agriculture et de l'Alimentation (agriculture)
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Hope, Randy R. (Chatham-Kent ND) PA to Minister of Community and Social Services/Ap du ministre des Services sociaux et communautaires
Huget, Bob (Sarnia ND) PA to Minister of Energy/Ap du ministre de l'Énergie
- Jackson, Cameron (Burlington South/-Sud PC) Chair, standing committee on estimates/Président du Comité permanent des budgets des dépenses
Jamison, Norm (Norfolk ND) PA to Minister of Industry, Trade and Technology, responsible for small business/Ap du ministre de l'Industrie, du Commerce et de la Technologie, délégué aux Affaires des petites entreprises
Johnson, Paul R. (Prince Edward-Lennox-South Hastings/Prince-Edward-Lennox-Hastings-Sud ND)
PA to Minister of Revenue/Ap du ministre du Revenu
Jordan, W. Leo (Lanark-Renfrew PC)
- Klopp, Paul (Huron ND) PA to Minister of Agriculture and Food (food)/Ap du ministre de l'Agriculture et de l'Alimentation (alimentation)
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- Lankin, Hon/L'hon Frances** (Beaches-Woodbine ND)
Minister of Health, minister responsible for the provincial anti-drug strategy/Ministre de la Santé, ministre déléguée à la Stratégie antidrogue provinciale
Laughren, Hon/L'hon Floyd (Nickel Belt ND) Deputy Premier, Treasurer of Ontario and Minister of Economics/Vice-premier ministre, Trésorier de l'Ontario et ministre de l'Économie
Lessard, Wayne (Windsor-Walkerville ND) PA to Minister of Colleges and Universities/Ap du ministre des Collèges et Universités
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- Malkowski, Gary (York East/-Est ND) PA to Minister of Citizenship, responsible for human rights, disability issues, seniors' issues and race relations/Ap de la ministre des Affaires civiques, déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
Mammoliti, George (Yorkview ND) PA to minister responsible for the provincial anti-drug strategy/Ap de la ministre déléguée à la Stratégie antidrogue provinciale
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McGuinty, Dalton J.P. (Ottawa South/-Sud L)
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Murdock, Sharon (Sudbury ND) PA to Minister of Labour/Ap du ministre du Travail
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Philip, Hon/L'hon Ed (Etobicoke-Rexdale ND) Minister of Industry, Trade and Technology/Ministre de l'Industrie, du Commerce et de la Technologie

illips, Gerry (Scarborough-Agincourt L)
key, Hon/L'hon Allan (Oshawa ND) Solicitor General,
 Minister of Correctional Services/Solliciteur général,
 ministre des Services correctionnels
 irier, Jean (Prescott and Russell/Prescott et Russell L)
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liot, Hon/L'hon Gilles (Lake Nipigon/Lac-Nipigon ND)
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 délégué aux Affaires francophones
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 Minister of Intergovernmental Affairs/Premier ministre,
 ministre des Affaires intergouvernementales
 msay, David (Timiskaming L)
 zzo, Tony (Oakwood IND)
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 permanent des organismes gouvernementaux
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 ott, Ian G. (St. George-St. David L)
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 Education/Président du Conseil de gestion du
 gouvernement, ministre de l'Éducation
 la, John (Mississauga East/-Est L)
 rbara, Gregory S. (York Centre/-Centre L)
 erling, Norman W. (Carleton PC)
 ockwell, Chris (Etobicoke West/-Ouest PC)
 llivan, Barbara (Halton Centre/-Centre L)
 therland, Kimble (Oxford ND) PA to Chairman of the
 Management Board of Cabinet; Vice-Chair, standing
 committee on finance and economic affairs/Ap du
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 vice-président du Comité permanent des finances et des
 affaires économiques
 varbrick, Anne (Scarborough West/-Ouest ND)
 lson, David (Dufferin-Peel PC)
 rnbull, David (York Mills PC)
 lleneuve, Noble (S-D-G & East Grenville/S.-D.-G. &
 Grenville-Est PC) Second Deputy Chair of the Committee
 of the Whole House/Deuxième vice-président du Comité
 plénier de l'Assemblée législative
 ard, Brad (Brantford ND) PA to Minister of Industry, Trade
 and Technology with responsibility for trade and technology/
 Ap du ministre de l'Industrie, du Commerce et de la
 Technologie et délégué au Commerce et à la Technologie

Ward, Margery (Don Mills ND) PA to Minister of Government
 Services/Ap du ministre des Services gouvernementaux
Wark-Martyn, Hon/L'hon Shelley (Port Arthur ND) Minister
 of Revenue/Ministre du Revenu
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 Speaker; Co-Chair, special committee on the
 parliamentary precinct/Président, coprésident du Comité
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 Georgienne ND) PA to Minister of Tourism and Recreation;
 Vice-Chair, standing committee on resources development/
 Ap du ministre du Tourisme et des Loisirs, vice-président
 du Comité permanent du développement des ressources
 Wessinger, Paul (Simcoe Centre/-Centre ND) PA to Minister
 of Health/Ap de la ministre de la Santé
 White, Drummond (Durham Centre/-Centre ND) Chair,
 standing committee on regulations and private bills/
 Président du Comité permanent des règlements et projets
 de loi privés
Wildman, Hon/L'hon Bud (Algoma ND) Minister of Natural
 Resources, minister responsible for native affairs/Ministre
 des Ressources naturelles, ministre délégué aux Affaires
 autochtones
Wilson, Hon/L'hon Fred (Frontenac-Addington ND) Minister
 of Government Services/Ministre des Services
 gouvernementaux
 Wilson, Gary (Kingston and The Islands/Kingston et Les Îles ND)
 PA to Minister of Culture and Communications/
 Ap de la ministre de la Culture et des Communications
 Wilson, Jim (Simcoe West/-Ouest PC)
 Winninger, David (London South/-Sud ND) PA to Attorney
 General, PA to minister responsible for native affairs/Ap
 du Procureur général, ap du ministre délégué aux Affaires
 autochtones
 Wiseman, Jim (Durham West/Durham-Ouest ND) PA to
 Minister of Correctional Services/Ap du ministre des
 Services correctionnels
 Witmer, Elizabeth (Waterloo North/-Nord PC)
 Wood, Len (Cochrane North/-Nord ND) PA to Minister of
 Natural Resources/Ap du ministre des Ressources naturelles
Ziemba, Hon/L'hon Elaine (High Park-Swansea ND)
 Minister of Citizenship, minister responsible for human
 rights, disability issues, seniors' issues and race
 relations/Ministre des Affaires civiques, déléguée aux
 Droits de la personne, aux Affaires des personnes
 handicapées, aux Affaires des personnes âgées et aux
 Relations interraciales

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COMITÉS DE L'ASSEMBLÉE LÉGISLATIVE**

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Administration of justice/Administration de la justice

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Règlements et projets de loi privés

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Vice-Chair/Vice-Présidente: Ellen MacKinnon

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Clerk/Greffière: Lynn Mellor

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Ontario in Confederation/

Rôle de l'Ontario au sein de la Confédération

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Clerk/Greffier: Harold Brown

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Co-Chair/Coprésident: Noel Duignan

Members/Membres: Dianne Cunningham, Remo Mancini, Kimble Sutherland

Clerk/Greffier: Smirle Forsyth

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Legislative Assembly of Ontario

First Session, 35th Parliament

Official Report of Debates (Hansard)

Thursday 31 October 1991

Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le jeudi 31 octobre 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Effective with the opening of the Second Session of the 35th Parliament, Hansard issues and pages will once again be numbered on a sessional basis. Hansard numbering therefore will become consistent with Orders and Notices and Votes and Proceedings, and with other parliamentary publications throughout Canada.

For the last two years Hansard has been numbered according to the calendar year. Under this system, the numbering of issues and pages was restarted with the first issue in the calendar year, regardless of session or Parliament.

Under the new system, the sequence of numbering started in January 1991 will end with the final House and committee sittings of the present First Session. A new sequence will begin on the opening day of the Second Session, and each succeeding session, which will be issue 1 and begin with page 1. Committee reports likewise will be numbered from the first sitting of each committee in a parliamentary session.

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Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 325-7400.

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A partir du début de la deuxième session de la 35^e législature, les pages et les numéros du Journal des débats seront de nouveau numérotés par session. La numérotation du Journal des débats correspondra donc à celle de Feuilleton et Avis et de Procès-verbaux, ainsi que celle des autres publications parlementaires au Canada.

Depuis deux ans, le Journal des débats était numéroté par année civile. Avec ce système, la numérotation des numéros et des pages recommençait au premier numéro de l'année civile, quelle que soit la session ou la législature.

Avec le nouveau système, la numérotation commencée en janvier 1991 s'arrêtera à la dernière séance de la Chambre et des comités de l'actuelle première session. Une nouvelle série commencera le jour de l'ouverture de la deuxième session et des sessions suivantes : numéro 1, page 1. Les rapports des comités seront également numérotés à partir de la première séance de chaque comité pour une session parlementaire donnée.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 31 October 1991

The House met at 1000.

Prayers.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

ELEVATING DEVICES AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT LA LOI SUR LES ASCENSEURS ET APPAREILS DE LEVAGE

Mr Ruprecht moved second reading of Bill 139, An Act to amend the Elevating Devices Act.

M. Ruprecht propose la deuxième lecture du projet de loi 139, Loi modifiant la Loi sur les ascenseurs et appareils de levage.

Mr Ruprecht: The item of elevators in Ontario is extremely serious. As you know, Mr Speaker, and as all members of the House by now know, since this has been up for discussion here, every year thousands of people are affected by accidents in elevators. We all know that this means that many more tenants are forced to climb 10, 20, even 30 stairs—and storeys—to reach their apartments.

In Ontario, non-fatal elevator accidents grew from 70 in 1978 to almost 1,000 since the NDP government took office. In a letter from the Toronto Fire Department, it was disclosed that the fire department rescued over 1,100 people from broken-down elevators in 1990, since this government took office. That is a very serious indictment of how elevators and the subsequent inspections and the problems arising therefrom are operated in Ontario. I only wish that with the introduction of this bill the minister were here. To my great surprise, she is not present this morning to talk about Bill 139 and why she would think it is or is not a good idea to introduce this legislation.

Before I continue, I wish to thank the many people who really helped me in writing and researching this bill and ensuring that indeed it gets to see the light of day. It points out how serious this matter has become for Ontario residents who have to travel every day in elevators.

I wish of course, first of all, to thank the Toronto Fire Department for having done yeomen's work in supplying a good deal of research and information on the broken elevators; the city of Toronto department of buildings and inspections; the Ministry of Housing; the researcher for our library, Mr Hill, who has done the actual bill; and, indeed, a number of other people who are directly involved in elevator maintenance in this province, including the mayor of Toronto, who has also written a letter to me and supports this bill. But more about that later.

According to a 1990 report by Ontario's elevator inspectors, Ontario has the worst ratio of inspectors to elevating devices in all of Canada. In the last little while there indeed have been a number of accidents that caused serious injury. I am looking at this time at the Ontario Public

Service Employees Union report which most members have heard about.

The real question is, what does the minister responsible for elevating devices have to say about this public hazard? I have asked the question in the Legislature, and she said, "Yes, Mr Ruprecht, we are aware of the difficulty and we're doing some kind of"—what?—"risk management." In other words, simply because there are not enough inspectors around, we have to inspect only those elevators which indeed are the worst ones in the province and which cause injury and in some cases even death.

We as Ontario residents should never be exposed to an elevator which is not functioning and indeed never be exposed to an elevator which gets stuck between floors. I have with me a number of signatures of people who have been stuck and have been seriously hurt to the point where they have been so afraid for their own lives that from then on they are psychologically scarred. They may never again step into an elevating device because of the fear of not being safe.

The minister then says to us, "Well, don't worry, folks, you cannot crash because what we're really interested in is ensuring that no one dies while riding in an elevator." I suppose that is not the major point of this bill. Bill 139 goes to the heart of the elevating devices problem in the province.

We know what the problems are. I will outline them for members: in the city of Toronto alone over 1,000 accidents since this government took over; over 2,228—I think the number is exact—people have been rescued in the last two years from elevators that have been stuck and the fire department has had to be called in. Every time the fire department is called in, we know that obviously it is at a great expense to the taxpayer.

There is no reason why the fire trucks should come out to rescue people because they are stuck in elevators. There is no reason for that if there is a service contract. This is what this bill speaks to specifically: a service contract in Bill 139 that outlines specifically what the elevator maintenance crew would have to do. All we are saying in Bill 139 is that the owner ought to get into a kind of service agreement with a bona fide elevator contractor. That agreement would stipulate how many times there should be inspections and maintenance performed.

I am looking at the Residential Rental Standards Board's recommendation and information available to the public. It says very clearly in here that as it stands now, the person who owns a high-rise building and who consequently is responsible for elevating devices in this building obviously does not have to provide elevating devices in that building.

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If the elevator is not functioning properly or if it is unsafe, all the owner would have to do is say "I shut the thing down," and there is nothing anybody can do. The

provincial inspectors come out and say, "I'm sorry, but you've got a bunch of senior citizens here, there are 50 of them in the lobby and they're trying to get to the 50th floor," and they cannot get to the 50th floor. Why? Because the owner says, "There's nothing in the law that makes me have this elevator back in service."

I am not making this up. It is here in the Residential Rental Standards Board booklet that is open for everyone to see. We are not asking, with Bill 139, to hire more inspectors. We are not saying, "Hire hundreds more inspectors," because that is what the ministry would have to do to ensure the safety of elevating devices; we are not asking for that. We are simply asking for a service contract to ensure maintenance is being performed before the problem arises, before the elevator gets stuck, before someone is killed. That is very simple. It is not such a big deal simply to say to the owner, "Get yourself a service contractor and have that man come once a month or at regular intervals to inspect the elevator," not to shut it down, but to make it functioning for the seniors and all those whose lives might be threatened by broken-down elevators.

I feel very sorry indeed for the minister, because the minister apparently does not understand her own legislation. She says to my response—and I think I might be hearing from my colleagues across the floor—"Under section 22 of the Elevating Devices Act...every owner of an elevator must ensure that the device is maintained and inspected by a contractor registered with the Ministry of Consumer and Commercial Relations." The emphasis here is not on maintenance, the emphasis here is not on fixing the elevator, the emphasis is that the inspector has to be registered with the Ministry of Consumer and Commercial Relations. That is the emphasis of this legislation that is presently on the books; that is the secret here.

It is not that maintenance should be performed, when the minister says, "We've got it all in the book; it's all working." If it was working right now, how come thousands get stuck in elevators? If the legislation is so clear to the minister, how come thousands of people are at risk? This is not clear.

All we are saying under Bill 139 is: "Let's have it clear. There is no reason for anybody to be stuck." If the legislation is clear, how come the mayor of Toronto, how come the department of municipal inspections, how come the Ministry of Housing is saying not only that it does not have a clear concept of what the legislation says but is telling us very clearly there is a problem and, "We wish to fix it." Bill 139 is set out to fix the problem of elevating devices and to clear up the law. I would hope that most members would be in support of it.

Mr Tilson: My friend the member for Parkdale has made several how-come comments. He has also indicated the number of tragedies that have occurred in the last number of years up to the time when the NDP took power, and they are tragedies. Some very serious tragedies have occurred over the years. The question I have to the member is, why in the world is the member for Parkdale standing up now? When the Liberals were in power, they had every opportunity to make amendments to this bill. There was one amendment made by the Liberal government. That

amendment, as I understand it, was to extend the limitation period for proceeding under the act from six months to a year.

So on the one hand I concur on the issue of safety. There is no question that there needs to be extensive overhaul of the Elevating Devices Act. I do not think the bill goes into a whole slew of areas. We have had tragedies, we have had coroners' inquests, we have had reports that have been made to the Liberal government, which did nothing. They did absolutely nothing. They made one amendment to extend the limitation period from six months to one year.

Mrs Caplan: That is not nothing.

Mr Tilson: It is. A coroner's inquest took place in 1988, for example, a tragedy at the Scotia Plaza, where there was perhaps one of the longest and most complex inquests ever held into Ontario industrial accidents. Statistics can be given to this House and to the people of this province in regard to the seriousness of what needs to be done.

What came out of that coroner's inquest were a number of recommendations: safety devices that would prevent elevators from speeding upward, logbooks that would detail the maintenance history of every elevator, mandatory health and safety committees on Ontario construction sites, more provincial elevator inspectors, certification of all critical elevator components by the manufacturer and mandatory accident reports that would be circulated throughout the industry.

Certainly the member can be lauded—he is a little bit late; he should have done it while he was in power—for putting forth legislation like this, but it is not extensive enough, and I challenge the government to go even further than the member for Parkdale.

There was a submission made to the Ministry of Consumer and Commercial Relations by the elevator all-industry committee in January of this year, in which considerable recommendations were made. This was a committee which was formed in 1989 for the purpose of developing an industry position on the issues of major concern to the entire elevator industry. It speaks on behalf of 85% of the industry's manufacturing and contracting companies. This report was made available to this government. Again I applaud the member for bringing this issue forward, because certainly the government should take a serious look at the issues.

A number of recommendations were made in this report. There are specific, very important issues that the industry is currently facing:

The urgent need to respond to the training and retraining requirements and set qualification standards for elevator mechanics. That is not dealt with in this bill.

The need to review and clearly establish the role of the Ministry of Consumer and Commercial Relations in the regulation of the elevator industry. Should there be more government control or should it be more privatized? That is not dealt with in this bill.

The need to establish how the industry and government can move to retrofit existing elevators with new safety devices. That is not dealt with in this bill.

There was the subject of privatization, a very extensive report on the whole matter. What has been raised by the member for Parkdale, although admirable, does not go nearly far enough towards what our party has been advocating, that is, the safety of the elevator industry in Ontario.

There are a couple of other things I would like to draw the House's attention on the subject of training. Training of all elevator mechanics should be compulsory. My understanding at this particular time is that it is not.

There should be compulsory training programs for elevator mechanics that reflect the three distinctive categories of skills required in the industry: (1) the installation of new elevators; (2) the maintenance of elevators, which is the very subject which this bill is talking about of course, and (3) the modernization and upgrading of older elevator units.

I recommend that all members of the House read this report, and certainly I hope that the member will read the report and that more extensive amendments be made to the bill than are being put forward by the member.

Certainly the bill deals with two separate issues. One is with respect to maintenance agreements. The bill calls for landlords of residential premises to enter into service contracts for the regular service and maintenance of elevators contained in their buildings. That is certainly admirable, although I would point out to the member that the regulation, the current law, already says what he is putting forward.

Regulation 229/81, subsection 22(1), states, "Every owner of an elevating device shall ensure that the elevating device is not used or operated unless it is maintained by a registered contractor in accordance with the requirements of this section." That is what the member is asking. I assume, therefore, and perhaps he can clarify this, he is asking that what is in the regulation be put in the act. It is not that we do not have that law; we do have this law in the form of the regulation.

What we do not have is a whole series of matters that could be made amendments to the act that are all set forth in this report, which would provide more safety to the people of this province who use the elevators more and more. There are more and more elevators all around this province, and there is a fear for safety. All we see is the minister's signature on the elevators as we are riding up and down, and I think we all wonder, "What does that mean?"

20

The bill certainly requires landlords of residential premises to keep elevators in service, except during times when they have to be taken out of service for maintenance, repair or replacement. Currently, the act deals with the safe operation of elevators. The amendment does not appear to be congruent with the existing legislation inasmuch as it appears to require landlords to keep the elevators in operation.

From a public safety perspective, we certainly support the intent of the bill, but I can say that it does not go nearly far enough. I will be interested in hearing from some of the housing experts across the floor and from members of the Liberal Party who are supporting Bill 121 because, if Bill 121 passes, the whole issue of safety will be dealt with in one piece. If you do not fix your elevators, you are going to have your rent knocked down. That is what Bill 121 says.

Generally speaking, I can say I support the intent of the bill. What I do say is that the bill does not go nearly far enough and that the government should be encouraged to make substantial amendments with respect to safety.

If landlords are forced to enter into maintenance agreements for their elevators, there are a lot of other problems we have heard, specifically during the housing hearings that have gone on throughout Bill 4 and Bill 121, serious problems with respect to concrete falling off walls, with respect to boilers, with respect to underground parking garages and roofs leaking. How far does our government go? Should landlords be required to enter into regular contracts to inspect those things?

We have landlords come to us and say they cannot afford that because of the draconian laws that are being put forward by this government, and there are a lot of major problems as far as the practicalities of what my friend is recommending are concerned. I encourage him to bring forth bills of this type, but I would hope he would go much further than he is doing.

When we study the bill, we do not know, for example, how often the inspections should be made. Obviously inspections with respect to elevators that are only six months old might not be nearly as great as inspections required for elevators that are perhaps 10 years old, so I think the bill needs much tidying up before I personally support it. We do not know specifically how long these contracts are to last or over what period of time the inspections are to take place. The regulations seem to be quite clear in many areas, but need to be tightened up.

In conclusion, I would submit that I am not in favour of the bill as drafted. I am in favour of the general intent of what the member for Parkdale is putting forward, as I am sure we all are. We are all concerned with respect to safety.

Mr Fletcher: First, I would like to commend the member for Parkdale for his thoughtful presentation of this bill. When it comes to safety, I think we all agree that is one of the paramount things we should be looking at in elevator services. I am not here to point fingers and say, "You should have done it or you should have done it." When it comes to safety I do not think we can start pointing fingers. It is something we all have to take our blame for.

As far as elevators and escalators are concerned, they are machines and they are going to break down just like cars or anything else breaks down. Once they do break down, I think people start to say: "Hey, I depend on this elevator. I need this elevator." They often feel penalized or shut out if an elevator does break down.

Should the public be concerned about safety? Of course it should. Everyone should be concerned about safety, but first let me assure members that elevators in Ontario are safe. In fact, if you compare them to any other form of transportation, elevators are probably the safest way of moving people. This has been the case in the past, and it is still the case today.

It is also important to note that Ontario's Elevating Devices Act and the Canadian Safety Code for Elevators are widely considered to be the best in the world. The ministry's elevating devices branch, in co-operation with industry, has played a large part in developing safety devices for Ontario

elevators and in some of the success stories about what we have done with elevators. This is from previous governments, so let's not start pointing fingers again. The successful examples are elevator passenger door safeties, anti-joyriding devices, and safeties to control the speed of elevators.

Should there be legislation requiring landlords to have an agreement with a contractor for the maintenance of elevators to keep devices going? The Elevating Devices Act already requires an owner to have maintenance performed by a contractor registered with the ministry.

The reality of this whole situation is that landlords sometimes remove elevators from service for non-safety reasons, such as selective use for building maintenance. There are also disputes over payment for service. This results in the contractor refusing to perform work pending resolution, leaving the elevator shut down. I agree that people should not have to walk 10 or 15 storeys with groceries, but that does not come down to the act. The act is not the problem. The problem is the dispute between a landlord and a contractor.

Although people, especially the disabled and seniors, have been adversely affected by elevator breakdowns, let's face it, our primary concern is their safety. The requirement to keep elevators in service is not going to prevent any breakdowns. In fact, it could increase the frequency of breakdowns because of the requirement to minimize the downtime for maintenance. Municipalities have enacted such bylaws. I think the city of Toronto had just such a bylaw, but it has proved to be unenforceable.

The ministry does inspect its elevators. It inspects them on the basis of assessed risk rather than routinely inspecting them every year or two, regardless of their age, the equipment, and the use and quality of the maintenance. Recently it has become harder to recruit inspectors because of the industry's shortage of qualified mechanics, as well as the discrepancy between wages paid by the government and the industry.

As far as fatalities are concerned, could they have been prevented with more frequent inspection? It is hard to say, because accidents are seldom caused by component failure. What they are caused by is human error. Actually the incidence of elevator passengers being injured in normal use is almost zero. However, we know that one accident is one too many.

Ontario's excellent elevator safety record does not stop our ongoing efforts to improve it. Following the inquest into one of the fatalities in 1989, the ministry established the Elevator Safety Task Force with government, industry and labour representatives. A task force report based on the jury's recommendations laid the foundation for initiatives that are currently in the works. For example, a certification and training program for all elevator mechanics in Ontario is being developed by the MCCR and the Ministry of Skills Development in partnership with industry and labour.

We are also adding a new chapter to the Canadian Safety Code for Elevators detailing the minimum requirements for the maintenance on elevators and escalators. The

code, which is enforced in Ontario, will also introduce mandatory recordkeeping requirements.

Again I commend the member for introducing the bill and for trying to help the Ministry of Consumer and Commercial Relations to develop some concrete policies. I am concerned about something that could happen as a result of this bill, and that is the fear that is growing unnecessarily among the public. Some people call the ministry and ask if it is safe to get into an elevator that has not been inspected over the last year. We say yes. Elevators are inspected based on their age, equipment and usage.

It is important to note that the Ontario legislation regarding elevators is widely considered to be among the best in the world. I cannot support the bill. I do not think the bill is going to do anything as far as the safety and operation of elevators are concerned. As I said before, I commend the member for Parkdale but I do not think his bill goes far enough. I do not think his bill is right. It goes in the wrong direction.

1030

Ms Poole: I am very pleased to speak on this bill put forward by the member for Parkdale on an issue of great importance to tenants. I cannot stress enough how important this issue is to tenants. In my riding of Eglinton, approximately 60% of the makeup is tenants. Over the past four years, without a doubt the two number one issues in my riding have consistently been elevators and maintenance, but until recently I did not have any hard data to back up my belief that this was a very important problem.

Just last fall—September, October and November 1990—the United Tenants of Ontario race relations committee decided it would choose north Toronto as a target area to do a very extensive survey. The survey had two purposes: first, to see whether tenants were experiencing discrimination in their building related to race, creed, religion or other matters; second, to determine the level of tenants' satisfaction with their building.

It was quite enlightening. Several hundred tenants were surveyed in 12 different buildings; as I said, it was an extremely extensive survey. What they found when determining the level of satisfaction with their buildings was that 11.4% were very satisfied with elevators, 31.7% were somewhat satisfied with elevator performance and 55.7% were dissatisfied with the elevators. It was by far the number one cause for complaint.

I will give the members the other statistics because I think they will find them of interest. The second one was building security; 34.2% found this a level of dissatisfaction. The next one was relations with the landlord, 17.7%; the superintendent, 11.4%; rent, 13.3%; maintenance and renovations, 10.8%.

When you go to the next question, it becomes even more obvious. It asks, "If you were the owner of this building, what would be the first thing you would improve (choose one only)?" To this, 27.2% said they would choose to remedy the elevator situation, the top reason; the second one, 26.6%, was maintenance and renovations; and perhaps surprisingly enough to the government, 8.2% would choose rent as being the first thing they would improve in their

building. Elevators were the number one reason for complaint. Elevators were the first thing tenants would choose to remedy.

I have a situation in my riding with which I would like to illustrate how the member for Parkdale's bill would help. It is a building on Soudan Avenue in my riding with a high proportion of seniors. It is a walk-up with, I believe, around 70 or 80 units. With this building, the elevators were out of repair for an extended period of time. The ownership of the building was in litigation. The city of Toronto came in and used its authority to repair the elevators. The problem was that they could not get the elevators going again because the ministry said at this point that there was no maintenance and service agreement with the owner company, so it would not allow the elevators to proceed.

If under the member for Parkdale's bill we had a provision from day one, when that elevator was licensed, that a maintenance and service contract would be in place, we would not have to wait until there was a crisis situation to look at the issue. It would have been in place. It would have been serviced. It could have been added to the tax bill, in the same way as the city of Toronto put the repair in the tax bill.

I know the minister quoted a section of the act where he said there is already protection, but it is not in the act; it is in the regulations. Not only that, but it is at the will of the landlord whether he or she chooses to have a maintenance and service agreement. So I cannot emphasize enough how important it is that we get these amendments. The member for Dufferin-Peel mentioned that it did not go far enough, although he supported the principle. Maybe it does not go far enough. I am sure there are other things we could do to improve the Elevating Devices Act, but I say to the member for Dufferin-Peel, Support Bill 139, get it to committee and we can then add other provisions that would strengthen the act. It is a starting point.

The member for Parkdale focused on two problems he has had in his area, which is why he brought forward this bill, but I am sure the member for Parkdale would be most open to expanding the protections to other areas, so I urge the member for Dufferin-Peel to support this bill. This is totally important to tenants in this province. Many of our buildings have elevators, and as the member for Parkdale has pointed out on a number of occasions, just in the city of Toronto there are thousands of instances every year when the fire department is called upon to try to rescue some poor individual or individuals from an elevator. This cannot be tolerated. We need to provide people with more protection, the protection of making sure there is a regular maintenance and service contract, and ensuring that the landlord is required to keep the elevator in service except for such reasonable time as it takes for repair.

This government has said consistently that it believes in tenant protection. If members of the government vote against this bill, they will have proved that their commitment to tenant protection is nothing but hollow rhetoric. As for the minister's comments last week that they were not going to intervene, that it was not their business to intervene, this government has intervened in every facet of

Ontario life. Why would they hesitate to intervene when tenants' safety and in some instances their lives are in jeopardy?

I urge all members of this House to support this excellent bill. I commend the member for Parkdale for bringing it forward and I hope we can work together to make this province safer for the tenants of this province.

Ms Carter: Elevators are very close to my heart, because I do not know how my heart would stand up to climbing the 30 flights of stairs between ground level and my apartment. They are very close to me when I get there too, because I can hear them running all night long. I am willing to climb one, two or even three flights of stairs, and I believe it even does me good, but beyond that, of course, an elevator becomes essential even for those of us who are able-bodied. I am totally dependent on the ups and downs of this gadget. Also, my office is on the 13th floor.

I have been inconvenienced many times by the long-drawn-out renovations to the elevators in the building where I reside—there has been an apologetic sign on display for months—but an elevator always comes eventually and has never in my experience malfunctioned. The time my husband got stuck in an elevator he was, I believe, in Winnipeg, not in Ontario.

I believe we are doing something right here in Ontario. Safety has to come first. To put pressure on landlords to keep elevators in service at all times unless actually under repair, as this Bill 139 would do, risks increasing the operation of unsafe elevators. Even if the bill became law, there would be no magical increase in the number of people available to service and inspect elevators or in the amount of money available to do it. If I had to choose—heaven forbid—I would rather sleep in my office than risk ascending to the 30th floor in an unsafe elevator.

1040

To many disabled and elderly people in our society, elevators are more than just a convenience or a lazy option. They are an essential part of being able to come and go at all. I was proud to assist at the opening of an elevator in a Peterborough church last Sunday. Church funds had been matched by an access grant from the Ministry of Citizenship to make this possible. Elderly and disabled people were acquiring the freedom to participate, without assistance, in the life of their church and their community.

Of course, that elevator and hopefully many more like it must be kept running, but not if there is the slightest doubt about their safety. I am sure the Ministry of Consumer and Commercial Relations will continue to deploy its inspectors in the most efficient way possible, given financial and staffing constraints. As my colleague has said, a certification and training program for all elevator mechanics in Ontario is being developed by the Ministry of Consumer and Commercial Relations and the Ministry of Skills Development, in partnership with industry and labour representatives. A new chapter is also being added to the Canadian Safety Code for Elevators, detailing the minimum requirements for the maintenance of elevators and escalators.

The province is taking effective action to improve its already excellent record on elevator safety. As one of many whose life here in Toronto would be quite impossible without these devices, and as one concerned about those who need them for even minor changes of level, I do not support this Act to amend the Elevating Devices Act, although I appreciate the concern it embodies.

Mr Curling: Mr Speaker, I want to thank you very much, and also my dear colleague the member for Parkdale, for giving me the opportunity to speak in support of his bill. He has done extensive research on this matter. He does not speak only from his heart; he speaks from knowledge and he has put forward to the government and to the opposition statistics on which they can base their support of this bill.

I was quite surprised and concerned that my dear colleague the member for Dufferin-Peel began his remarks with finger-pointing at who has not done enough with regard to this bill and who in the previous government had not done sufficient in ensuring the safety of elevating devices.

I had hoped also that some of my comments would fall on the ears of a minister, but I am disappointed that no minister is here. That immediately tells me that the interest they have taken in the concerns of tenants in this province is just lipservice. However, I do have faith in quite a few of the backbenchers—I hate to call them backbenchers; my colleagues who are not in the august circle of the cabinet, which carries such words of concern.

The member for Dufferin-Peel pointed out that there are a tremendous number of omissions from this bill of things that should have been there and therefore he is unable to support it. I have yet to find any bill that is presented that is a perfect bill. We put it forward, and then if there are any additions or amendments that members want to put forward, they can do so in committee. To support it in principle but not vote for it is a contradiction. If you support it in principle, you support it and vote for it; then when it gets to committee, you make your necessary amendments.

It was brought very vividly to my attention. My riding of Scarborough North has quite a few elevating devices. A gentleman was going for surgery on his back, and the elevating device had broken down. Mr Richard Cohen, the gentleman in question, had written to me and phoned me and had phoned the ministry and could not get any response. He had phoned every ministry—the Ministry of Consumer and Commercial Relations, the Ministry of Housing—and he said he could not get any response. He had phoned me, and of course I tried to get some response out of those offices too, and to relay this gentleman's concern.

His concern was that, coming back from the hospital, realizing that he could not get back to the seventh floor by walking up seven floors was quite a traumatic experience for him. For two days in his building those elevators did not work. He phoned me concerned for the senior citizens who had to walk five, six, seven floors in order to get to their homes. He talked about people with heart cases who were concerned that they may have a heart attack in that process.

Before I tell members what the bill would have done, I will tell them what it has not done. My colleague the member for Parkdale wrote to the Minister of Housing with this concern and it responded to him. The manager from police and programs spoke about, "There appears to be no mechanism to provide the elevating devices branch with the ability to make the necessary repairs and charge the cost back to the owner." He also said, "There is no provision in the legislation to require an owner to make the necessary repairs."

This bill states very simply, one, that the landlord shall enter into an agreement with a bona fide contractor "for the maintenance of the device at regular intervals" and, two, that the landlord ensures that "any elevating device intended for the use of tenants...is kept in service at all times."

It is important, at a time when this present government speaks of access and it says that you have a home and you cannot even get to it. As a matter of fact, even to get to your home may cause you some hardship, maybe death. I hope it is not so.

I was surprised that my honourable colleague the member for Guelph said that it is one of the safest elevating devices—I do not know if he said the world or if he was comparing it with something else. I am very disappointed that he ignored the statistic that talks about over 1,000 incidents that have happened since the NDP—no, because of their fault but just as a matter of measurement—has taken the reins of government. He ignored that and said it is one of the safest. Six deaths, I gather, have happened. These are things that come back, the agony that could have been avoided if we had had proper elevating devices in place. To say, "Let us not do anything about it because we are one of the safest"—we are not trying to be one of the safest; we are striving to be safe.

I would like to acknowledge the fact that, especially in private members' bills, it gives the members an opportunity not to go with the government, the Minister of Housing, who has called them and said, "Please don't support this," but to think individually of their own concerns and the concerns of their constituencies and vote for this. If they want amendments, as I said, if it is not adequate, they should put forward their amendments to improve on this bill. We have seen in the past, of course, that members would like to have supported a bill on their own principle and moral obligations and they are then coerced in many ways by ministers and by premiers not to do this. But I urge them to stand on their own principles, to stand on the principle of the safety of tenants that they advocated for a long time, and I urge the honourable member for Dufferin-Peel to do so too.

1050

Mr McLean: I want to comment briefly on Bill 139, An Act to amend the Elevating Devices Act, with regard to the bill's requiring landlords to enter into agreements for regular maintenance.

Some time ago, back in 1986, the member for Leeds Grenville asked some questions in this Legislature of the then Minister of Consumer and Commercial Relations, the member for Wilson Heights, with regard to some of the

problems that had taken place in this province with regard to deaths in elevators and the many joyrides that were taking place. From that debate there was a study mandated, the Final Report of the Ontario Elevator Safety Task Force. That report indicates much along the line of what this bill is talking about. It says:

"The Ontario regulation should require that every elevator owner must secure continuously a full maintenance contract that would include replacement parts or have equipment thoroughly examined periodically, at a maximum 12-month interval, by a registered contractor who must certify that all components are fit for safe operation. This would trigger a renewal of the licence for a 12-month period. Prior to expiration, a further examination and certification must be carried out."

That report really says what the member is indicating here today, to amend the act to allow for that very section to be put in.

I really thought this was covered in the act now with regard to staff training and safety. Upgrading of elevator units in apartment buildings I guess is one of the major concerns that many apartment dwellers have. I do not see where, in this bill we are talking about, there is anything with regard to the upgrading of elevator units. Maintenance agreements, I would have thought, are already within the act at the present time. Failing that, I would anticipate Bill 121 would include much of what the member is speaking about here today.

When we are talking about elevators, it gives us a chance to express some of the concerns that have been brought to our attention within our own constituencies, and especially in Metropolitan Toronto, where you have the large high-rises. We ride them every day and take it for granted that they just work. Sometimes we have to wait longer. The member for Peterborough was talking about the time she sometimes has, and I live in the same building so I know what it is all about, but only once have I ever had to walk down those 31 flights of stairs.

Mr Curling: What about going up?

Mr McLean: Going down would not be bad, but walking up would certainly test my ability.

Anyhow, the presence of this bill here today brings a debate in this Legislature and brings to the minds of the people just how serious this is and how important the elevators are in the buildings and how important this is to our seniors. In the constituency I represent, we have had elevators put in Royal Canadian Legion branches with the help of the taxpayers. I think those types of things are important when we are talking about elevators and the safety within them. But the staff training is important. More inspectors and better-trained inspectors would be important.

I think today what we are doing is debating a piece of legislation that I would have anticipated would already have been in any bill, and the bill would require landlords of residential premises containing elevators to enter into agreements for regular maintenance of the elevator. I know of hardly any building that would not have that in its contract. It requires landlords of residential premises to keep elevators in service. I would think this is in place already.

The Deputy Speaker: You have spoken on this issue already, have you not?

Mr Fletcher: Yes, I have.

The Deputy Speaker: You cannot do it again.

Mr Fletcher: Okay.

The Deputy Speaker: There are four minutes and 34 seconds left for the government side.

Mr Ruprecht: On a point of order, Mr Speaker: If I can get the extra time, that would be appreciated.

The Deputy Speaker: If there is unanimous consent, I will give it to the member for Parkdale. Is there unanimous consent?

Some hon members: No.

The Deputy Speaker: Two minutes left, the member for Parkdale.

Mr Ruprecht: I want the public to know today that when we talk about the seriousness of the elevating devices, this NDP government—that is how really generous it is—did not permit giving me two more minutes to talk about the elevating devices and the problems we are facing today. They should be ashamed of themselves, not being generous enough to give their colleague two extra minutes. They would rather sit there, stony faced, ashamed of themselves because they are unable to sympathize with the seniors and with the tenants of this province. Every time they stand in front of an elevating device that is not working and they have to walk 20 flights of stairs, I want them to think about this bill and that they have said no to this legislation.

Let me just refer very briefly to what the member for Dufferin-Peel said. I appreciate his remarks, and he has indicated that we should go farther than the proposal of my bill. Obviously I think he has a point. Nevertheless, this is the first step and I assume that he would support this as a first step. Once it gets into the committee we can go much farther, and then obviously I would agree with him.

The same goes for the member for Simcoe East, who somehow, along with the member for Guelph, is under the mistaken impression that section 22 already provides for maintenance-of-service contracts. It does not. There is no provision here that ensures that elevators are being maintained, and certainly there is no provision here that an owner is required to make the necessary repairs.

In short, I would hope that the members who are assembled here today would ask a question of the minister, who is probably stuck in an elevator, because she is not here today.

The Deputy Speaker: Thank you. The time for the first ballot item has expired.

LEGISLATIVE ASSEMBLY AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT LA LOI SUR L'ASSEMBLÉE LÉGISLATIVE

Mr Arnott moved second reading of Bill 111, An Act to amend the Legislative Assembly Act.

M. Arnott propose la deuxième lecture du projet de loi 111, Loi portant modification de la Loi sur l'Assemblée législative.

The Deputy Speaker: Pursuant to standing order 94(c)(i), the honourable member has 10 minutes for his presentation.

Mr Arnott: I am very pleased today to be here in this crowded chamber once again in private members' hour to bring forward my views on a private member's ballot item, Bill 111, An Act to amend the Legislative Assembly Act.

The basic intent of the bill is quite simple. The bill would amend the Legislative Assembly Act by requiring each member to take an oath that the member will not only be faithful and bear true allegiance to the Queen but also that he or she will obey the laws of Ontario and Canada and that he or she will conduct himself or herself with integrity in carrying out his or her responsibilities as a member and, subject to his or her own judgement and conscience, seek to represent the views of those who elected him or her.

The oath would replace the oath that is set out in the Constitution Act, 1867. The bill amends only the English version of the Legislative Assembly Act. The Legislature has not yet adopted an official French-language version of this act.

I would like to start, I suppose, by reading the present oath, because I was quite surprised, when I made my views known that I was intending to propose a change to the oath, at the number of members who came over to me and asked me what the oath is at present. Essentially, what oath did they take a year ago? I was quite struck by that, so I will read it again:

"I, ..., do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second (or the reigning sovereign for the time being), her heirs and successors according to law.

"So help me God."

As I say, that is the oath we presently take.

I will read at this time the specific oath I am proposing, an amendment, section 24a, of the Legislative Assembly Act:

"I, ..., do swear (or solemnly affirm) that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second (or the reigning sovereign for the time being), her heirs and successors according to law, that I will obey the laws of Ontario and Canada, and that in carrying out my responsibilities as a member of the Legislative Assembly I will conduct myself with integrity and that, subject to my own judgement and conscience, I will seek to represent the views of my constituents.

"So help me God."

1100

When you are proposing something new you always have to justify why. That is the first question, why do we need a new oath? I believe we need a new oath. I think back about a year ago to the heady days of the fall of 1990. I was at Convocation Hall watching the new government, their Agendas for People clutched in their hands proudly as they were sworn into government.

At approximately the same time I was sworn in as a member of this Legislature, and my friends and family came down to Toronto to be present at what I felt was a

very auspicious occasion in my life and something I was very excited about. I took my oath, the picture was taken and so forth, as every member did, but I was somewhat struck about how quickly it was over.

I felt at the time that there could be a more substantial oath. Not that there is any problem with the existing oath, but it could be made more substantial. There could be things added to it to give it more meaning and purpose. I believe the new oath would be an important addition because it could become a symbolic testimony of why we are here. A solemn promise made before the clerk with the Bible and before God is a new, important addition we could bring to this, a promise made to represent our constituents and to do various other things beyond just the oath to the Queen.

Doing some research about oaths, I came across a quote from the 17th century, Samuel Butler. He wrote a brief phrase that I think is telling: "Oaths are but words, and words but wind." I see that as a real problem. There may be an opinion that this is true and perhaps we need to counter that and put more faith in the oaths we take. I think there needs to be more substance to remind us of our responsibilities, our duties, why we are here and whom we serve.

I will take members through the new oath I am proposing phrase by phrase and indicate why I have added parts. First of all, the allegiance to the Queen is exactly the same as the existing oath, which I believe is very important, especially today. We have a situation in our country and in our province where people feel they have very little certainty and very little to grasp on to. The monarchy still remains a very important role in our society and we have to maintain and reaffirm that, I believe.

Second, I think it is very important to give an indication that members are willing to obey and uphold the laws of Ontario and Canada. I find that in the past it sometimes was overlooked. If we do not have a commitment to the laws we make here, we have a big problem. We have a direct influence on how the laws are changed. I do not believe in civil disobedience. I think we should take the attitude that if we do not like the laws, we will work to change them from our place here.

It is important also to have a reminder about conducting ourselves with a great degree of integrity. Some might argue that integrity is a very subjective matter. It may be to some people, but I think everyone has a personal standard of integrity and we often have to be reminded of our own standard, because in the heat of the moment or the day we may take steps towards deviating from that standard we have set for ourselves. I believe it is important that we are reminded of this.

It is very important to talk about the next part, "subject to my own conscience and judgement, I will seek to represent the views of my constituents." I think that goes without saying. There is such a malaise in the land today that members are not representing their constituents. We know we try every day to represent our constituents to the best of our ability, but the people do not seem to know that. If we encourage this in our oath, it can have an effect out there and hopefully add some respect for this institution.

I do not believe Bill 111 is going to change the world. I see it as a very modest and small step in the right direction towards a new path we should be taking. I believe reforms are drastically needed in this place and in this legislation in the way we conduct our own affairs. I am very disappointed at times, and I have been guilty of it too—I do not want to sound as though I am never involved in interjections, because I am—because the decorum in this place has been abysmal in the last few weeks. I think we have to keep that in mind.

We have to work towards enhancing the status of the private member at the expense of the executive because we are elected as well. Private members are seen by the people as being weak. We have to enhance our ability to work on behalf of our constituents. We have to work towards restoring the public's faith in this institution of Parliament because we are going to keep the institution but in my opinion we have to reform it from within.

I think we need to encourage the media towards a more positive portrayal of the work we do in this place. It concerns me that they seem to focus on the negative and do not report that we often work together in a common effort to solve the problems of the province. I think this bill in some small way might open the doors of this place. As I have said, in caucus all of us work very hard on behalf of our constituents and passionate views are exchanged, but people do not see that. If we took this oath promising to represent the views of our constituents, many of us would feel freer to express our views publicly in this forum.

I would like to close by talking briefly about where our commitment originates as members. Many of us have brought our ambitions to this place. We have ideas we want to bring forward to enact into law to improve this place and to improve the province. We have devotion to various causes. We have devotion to our constituents. All of us bring ideals to this place. Often our ideals and our passions are somewhat tempered after a period of time when we see the realization of what can occur, but we also have our instincts that we bring forward on views.

If we started with a new oath, if we defined the origin of our commitment with this new oath, it would be a big improvement. I would like to propose this solemn oath before God and before the Legislature, and I hope we can get some support.

Mr Mills: I am very proud and privileged to stand in my place in the House today and speak to An Act to amend the Legislative Assembly Act, Bill 111, proposed by my colleague opposite.

I would like first of all to speak briefly about Durham East, the riding I represent. Traditionally, the best we could do as New Democrats in Durham East prior to 1990 was, give or take, about 5,000 or 6,000 votes. This time around we were able to increase that figure by roughly another 5,000. As I stand in this House today, I recognize that I represent at least 4,000 or 5,000 who are not traditionally New Democrats. They do not profess to be, nor did they ever profess to be. I recognize that fact here in my decisions daily.

I would like to speak briefly about the amendment and my colleague's words here: "I will seek to represent the views of my constituents" and "I will conduct myself with

integrity." I would like to think that is my personal oath to the people I represent in this House.

To go one step further, I would like to let people know that when insurance became an issue in this House—I campaigned on public insurance—I was bombarded by people in my riding who complained about it, about the loss of jobs, about what it would do to the economy. I went personally to the minister on two occasions to report my displeasure with public auto insurance and about how it would affect people I represent in Durham East who were not necessarily New Democrats. I think I have a duty and a right to do that.

When we met in Honey Harbour about this I stood in that room and again voiced my displeasure at public auto insurance as it affected the people I represented—

1110

Mrs Caplan: But you ran on it during the election campaign.

Mr Mills: The member for Oriole interjects and says I ran on it, and that is true, I did. But getting back to the private member's bill, I temper that with representing the people in their broad spectrum of political views. I think that is what the member today is saying we should do. I am saying that I do that, and when the member for Oriole speaks I will not interject and upset her train of thought and I hope she would do likewise.

When we came to the Sunday shopping bill, again one has to recognize that we represent so many people—I do in Durham East—who were opposed to that legislation. I spoke my piece on behalf of the constituents I represent there, and I do this constantly. I do not see that my principles have been changed and I do not really need an oath to tell me that I have to represent the views of my constituents.

Having said all of that, when people elect me they know that I represent the New Democrats and they know the New Democrats stand for certain things. I like to think that—I see the member for Oriole shaking her head, I do not know why. People do elect people based on the party they represent basically.

Interjections.

The Deputy Speaker: There will be ample time to debate the issue, so I recommend that members remain quiet.

Mr Mills: Given the election process, I think it is very fair to say that when you run for a party, the goals of that party are very up front and that the people who vote for you recognize that you will, if I may put it in these terms, uphold the party line to a degree. That does not stop you from speaking out on behalf of the constituents you represent, in particular the many I represent in the riding of Durham East.

I am going to cut short my comments because another colleague in our caucus needs to speak to this bill. But before I close off, someone said to me from the news media when I completed my first year in office, "What are your goals?" I said, "I have one goal, that at the end of this present term of my office in this Legislature the people of Durham East, Conservatives, Liberals, or New Democrats, can look upon me and say that they got representation of the finest and best quality regardless of party politics."

That is what I intend to do in this House, and I thank members for the time to debate this. I will be supporting the member's resolution, although I think it is a little after the fact. On a matter of personal record, I will support it.

Mrs Caplan: I am pleased to rise and participate in the debate today in private members' hour, but when I first saw the resolution, the bill that was brought forward by the member for Wellington, I looked at it and wondered why he had brought it forward.

At the present time in the standing orders, as the member has read out, we have an oath that pledges our allegiance to Her Majesty the Queen. At first I thought his bill was designed to embarrass the NDP government, which had changed the oath for police officers in this province. I thought perhaps the member's proposed bill was to guarantee and ensure that members of the Ontario Legislature would continue in the British parliamentary tradition in this province and continue our pledge of allegiance to Her Majesty the Queen.

I read along a little farther and I saw words in his proposed piece of legislation that I think all members of this House could agree with. Certainly it is the reason we all run for public office and stand to serve the public. In his opening remarks he talked about the need for members to take their responsibilities and duties seriously. I think what he has raised for us is an issue that goes far beyond the very simplistic approach this bill is proposing. He is a new member of the House and I have come to like and respect him. I think his goals are very similar to mine and probably to the goals of most of the members of this Legislature who stand for public life; that is, to try to make a positive difference in this province.

The question was raised about why we need to change the existing oath of office. I would ask that question as well. It seems to me that the reason, the need right now is that in Ontario my constituents and the people of this province do not like politicians very much. They think "political" means self-serving, as opposed to serving the public interest. They are cynical and concerned, and I do not think just changing the words of the oath of allegiance that a new member of this Legislature takes is going to solve that problem.

I have spoken in this House on numerous occasions about the issue of cynicism in our society today. It concerns me greatly. I have also spoken about the need for greater integrity in public office. During election time we all talk about integrity. I have said in my remarks in this House that integrity is saying one thing during the elections and doing the same thing after you are elected. Integrity is doing what you say you are going to do. Integrity is staying true to your principles.

One of the things people in this province do not realize is that there are very specific partisan differences between the political parties in this province. The reason we often sound the same is that we have the same goals. We all enter public life to make a positive difference, to serve the public, to serve the public interest. We do not on the whole generally—there are always examples of the few bad apples who tarnish us all—enter public life for ego reasons,

not most of us anyway. Most of us do not see politics and partisan politics as a self-serving exercise.

We believe in our philosophical partisan approaches. The New Democrats, the socialists, have a very different philosophy and a very different approach to public policy issues than do the Progressive Conservatives and the Liberals. We can discuss what those philosophical differences are and we can see in the approach to public policy development how the different approaches of those parties are put forward.

I think the member for Durham East raised a couple of very good examples. During the election campaign of just over a year ago, the New Democratic Party was very clear about where it stood on auto insurance. Its approach was very different than the approach that had been offered by the then Liberal government and very different from the system that had been in place under the Progressive Conservatives in this province. The people of this province expected that if there were a Progressive Conservative government, one thing would happen, that if there were a Liberal government, something different would happen, and that if there were a New Democratic government, still another approach would be taken.

1120

Public cynicism is going to flourish in an environment where a party once elected says: "We're not going to do that. We didn't mean it. We didn't expect to get elected." That is an issue of integrity. That is what turns people off, when they hear them stand and say one thing during election time and then they do something very different once they have the opportunity to implement those things they talked about.

I believe very strongly in the traditions of the parliamentary system. I believe very strongly that you do not change those traditions lightly. I was concerned with the way the new government changed the oath for police in this province. It was not debated in this Legislature. It was done by a stroke of the pen at the cabinet table, by order in council, with no debate, no discussion—an important tradition.

I said we have important issues of public policy to debate. One of the concerns I have is that in private members' hour, when members are free of party discipline—I say this very specifically to the member for Durham East, who has stood in this House with other members of the government caucus during private members' hour when the whip has been on. That means the members have been told they must vote for or against certain members' resolutions during private members' hour. We have seen it time and again. When members should be free to speak on behalf of their constituents or use their own judgement or put forward their own ideas to debate public policy issues of the day, new members of this House in the government caucus have been told how they are expected to vote during private member's hour.

We see what happens to members of the government caucus when they do not toe the party line. We saw an example just yesterday when my colleague the member for St Catharines raised a question about the firing of the member for Lincoln, the Chair of one of our standing

committees, who was fired after he voted against a government bill.

I have been in government and I have seen members of government caucuses, on points of importance to their constituents, vote against a government bill and there was no retribution. But coming from this government party we have seen a cabinet minister fired for disagreeing with the policies of his party and we have seen a committee Chair fired and then reinstated when the issue was raised in this House.

I think these are the things the member for Wellington is questioning in suggesting a change in the oath in this House, but I would say to the member that changing the words of the oath is not going to change the behaviour in this House. It is not going to change the way we treat each other, the lack of respect we sometimes see, and it is not going to change the role of the individual members and their ability to speak out within their caucus or within this House during private members' hour, because in the British parliamentary tradition the role of the party, the role of the caucus, is also a very important role.

When we stand for public office in the provincial elections in Ontario, we run as a member of a party. We can also choose to run as an independent. The member for Wellington chose to run as a member of the Progressive Conservative Party, and he stands for all the things the Progressive Conservative Party stood for during the election. He is accountable to his constituents for the promises and commitments the party made about the approaches it would take.

The members of the New Democratic caucus, the government caucus, the now governing party, are accountable to their constituents for the promises it made during the election. That is the way our system works. They are members of a government caucus, and as a member of this Legislature the role we undertake as a member of our party and our caucus is to speak out on behalf of our constituents with integrity in a passionate way on the issues of the day, those things that we believe in.

We enter public life because we want to make this province a better place. Within our philosophy and our principles, we want to bring forward suggestions and ideas for new legislation, new laws, new regulatory regimes or schemes or funding priorities. But each party sets forward not only its goals; it also sets forward its priorities.

I guess the concern I have is that we are not taking advantage in this House of the opportunity, even within private members' hour, to diverge, to free ourselves from caucus discipline, to free ourselves from the yoke of the whip. I can tell members that within the Liberal caucus, both in opposition and when we were in government, each of our caucus meetings was a reminder to our members that private members' hour was a free time for members to speak their minds. We did not whip our members to support a government position.

The members of this House will know there were sometimes very important issues of debate. Some of those, I would suggest, were framed by the opposition parties to embarrass the government. That sometimes happens in private members' hour. But it was a very good opportunity

for us to speak our minds, free of party discipline, free of the yoke of the discipline of caucus.

I would say to the member for Wellington that changing the oath is not going to solve that problem. He has pointed out some of the problems that exist, but I believe that if we simply change a tradition in this House, we will send out a suggestion that we have fixed the problem. My concern is that we will just increase the cynicism we find in this province by suggesting that an oath is going to change anything.

I believe the public, if they are going to have respect for what happens in this Legislature, have to see question period for what it is, which to a large degree is theatre. One of my children said to me that when they watch question period they really think of it as the Young and the Restless, one of the soap operas of the day. I tell them the important debates happen in committee where you often find a lot of co-operation, where people put forward their ideas, usually in a thoughtful way. You find it during private members' hour and through the debates in this Legislature.

I would say we could have an important debate on the enhancement of the role of the individual member, finding ways to permit additional free votes, finding ways to allow members to speak their minds on behalf of their constituents, but as I sum up today, I really believe that simply changing the oath of office, while it is well intentioned, is no more than just a meaningless gesture to solve what is a very serious problem in our society. I think if we each pledge ourselves to take the message to our constituents that what happens here is important, that we are all people of integrity although we may differ in our partisan approaches, then hopefully the people of Ontario will have more respect for all of us in public life.

1130

Mr J. Wilson: I am very pleased to stand and support the resolution put forward today by my colleague the member for Wellington.

Unlike the member for Oriole who just spoke, I know what the word "cynicism" means and I know that voters out there are cynical. They are cynical about politicians and they are cynical and somewhat disrespectful at times of the monarchy in Canada.

This past week we had a visit from the royal family, His Majesty Prince Charles and Princess Diana. I was standing on the docks at Harbourfront last week watching the royal yacht Britannia go by when Princess Diana and Prince Charles were waving to the crowd. There was a young family there, a young couple with three small children. I overheard the husband say to the wife that they were glad to see the bums leave.

I was very saddened to hear two Canadians—I presume Canadian citizens—standing at Harbourfront wishing ill of the royal family. The view out there is that the royal family does not work and does not pay taxes, therefore, some people believe it is not worth while having a monarchy. Today's debate is very good in the sense that it enables us to have a few minutes to explain the role of the monarchy and the importance of the monarchy in Canada.

I say the proposed wording of a new oath by my colleague the member for Wellington is excellent. It not only contains our current oath, which is a swearing of allegiance to our sovereign and the monarchy, but it also very importantly says, "I will conduct myself with integrity and that, subject to my own judgement and conscience, I will seek to represent the views of my constituents."

The Liberals were kicked out of office because voters were tired of Queen's Park telling them what is good for them. We have the same problem on the federal level now. Ottawa is constantly telling voters what is good for them, rather than the way Burke and the great philosophers designed the democratic system, which is that we as elected members are to go to Queen's Park and stand up and fight on behalf of our constituents to the best of our ability.

Unlike the member for Oriole, I think it is important that we include in the oath that reminder and that we swear allegiance to not only the monarchy but to upholding our responsibility as elected members to voice the concerns of our constituents on a daily basis in this Legislature. The oath needs beefing up and the member for Wellington has done an excellent job, together with legislative counsel, of coming up with what I think is a superb new oath, and I ask all members to support it.

I want to make a point about swearing allegiance to the monarchy, to the sovereign. I raised this point on April 17, the day after I heard on CFTO news that the NDP had made a closed-door decision to remove the reference to Her Majesty the Queen in the oath taken by Ontario's police officers. At that time—and I will read it again because it is worth stating—I read a quote from June 26, 1973, of Her Majesty Queen Elizabeth II, Queen of Canada, at a state dinner. In this quote she talks about her role as the constitutional monarch of Canada:

"But it is as Queen of Canada that I am here, Queen of Canada and of all Canadians, not just of one or two ancestral strains. I want the crown to be seen as a symbol of national sovereignty belonging to all. It is not only a link between Commonwealth nations, but between Canadian citizens of every national origin and ancestry. The crown is an idea more than a person and I want the crown in Canada to represent everything that is best and most admired in the Canadian ideal."

I think that sums up very well, from Her Majesty, the role of the Queen in Canada. One of the primary roles, particularly at this crucial point in our history, is the unifying symbol that the Queen represents to all Canadians of all ethnic backgrounds. It is a unifying symbol that is most needed at this time, and I do not understand, but will not belabour the point, why the NDP, which seeks in these constitutional talks, and certainly states in these constitutional talks, that it is going to defend the interests of Canada, that it wants a united Canada, why it would take a unilateral, secret decision to remove the reference to the Queen in the oath taken by Ontario's police officers.

I suggest it was done because Susan Eng, who was appointed by the NDP to be the new chair of the Metropolitan Toronto Police Services Board, refused to swear an oath to Her Majesty, so she would not administer that same oath to police officers. I remind the government that the

Parliamentary Oaths Act of 1866 imposes a penalty of 500 pounds for any parliamentarian who sits in Parliament but refuses to take the oath. It also declares that parliamentarian's seat vacant. So you have no choice in the matter; if you want to sit in Parliament, you must swear allegiance to Her Majesty the Queen. Also, in addition to declaring the seat vacant, it says that the seat is also vacated in the same manner as if the parliamentarian were dead. I suggest it is a good thing Susan Eng got an appointment and did not run for Parliament, because she would be treated as if she were dead in this chamber by refusing to swear allegiance to Her Majesty the Queen of Canada.

I want to touch briefly on some points that are raised in a book called *The Crown in Canada*. It is written by Mr. Frank MacKinnon and it talks about why a strengthened oath to the Queen is a good idea. It says:

"The crown has helped to reinforce the sovereignty of Canada. The presence of the crown in Canada has prevented Canada and its provinces and territories from experiencing a situation where the question of legality arises regarding the government or of the political power itself."

On that, I point to the NDP government and remind the government, as I did on April 17 in my point of privilege, that our allegiance to the Queen separates us and distinguishes us from the Americans, a point that the NDP normally takes great pride in on other matters, and that our power and our legitimacy to govern are derived directly from the monarchy. As Michael Valpy said in the *Globe and Mail* on, I believe, 16 April: "Politicians exercise power only on sufferance. The power is on loan to them."

I suggested at that time, and although I was ruled against by the Speaker I still contend that I was right, that the government's unilateral move to remove the reference to the Queen in the oath undermined the legitimacy of Parliament, the legitimacy of this chamber and the legitimacy of our right to govern on behalf of the Queen and for our constituents.

I also make the point that the government itself only got a little less than 40% of the vote in Ontario in the last election. If members really think about it, it is the legitimacy to govern under the monarch that prevents opposition parties from questioning this government's legitimacy and its legality as a government.

Members may want to read some books on the topic. I have not time to go into it today, but this government's legitimacy to govern on 38% or 37% of the vote and our inability to question its legitimacy is all devolved from the crown and from the monarchy and from the tradition of Parliament which this government has shown very little respect for in this chamber and in its actions.

I also mention finally that the important part of changing the oath is, again, not only the swearing of allegiance to the sovereign but also the fact that we are here to govern on behalf of our constituents, to take their advice and to bring that advice forward. It is not unlike the monarchy itself. We are able to accommodate change in this province and to accommodate the views of our constituents against the backdrop of a very solid tradition of the monarchy. There is stability in our country, unlike in the Soviet Union and in China, because we have a monarchy that, as a

symbol, unites Canada, unites Canadians; and members of Parliament do not have the authority nor should ever have the will to change that. If you do not have the authority because your authority comes from the monarchy, you do not have the authority to tamper with the monarchy and its symbol and its purpose in uniting the country and uniting Canadians.

I commend the member for Wellington for an excellent new oath. I believe it is a step in the right direction in bringing decorum back to this Parliament and ensuring that members realize—as I know the NDP member for Lincoln who voted against a tax bill the other day and was penalized for it by his Premier; that was a good example of a member voting in line with the wishes of his constituents. That is what we are here to do. Let us never forget it.

Mr Drainville: It gives me great pleasure to rise in the House today to speak to this private member's bill, which I will be supporting. As I look at the form that has been put forward by the honourable member for Wellington, although I would like to see perhaps a little different form, on the whole it is substantially better than the oath we presently make and on that basis I am willing to support it. As I have said on a number of occasions, we always find ourselves, when we rise to speak at private members' hour, quibbling with this point or that point, but ultimately a person has to put forward a position and we look at that position. I believe it is in the interests of making better legislation that this be put forward. I have no difficulty with most of it. I will make some substantive comments at this point.

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I notice it says, "I"—member's name—"do swear (or solemnly affirm) that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second (or the reigning sovereign for the time being), her heirs and successors according to law." I have no difficulty with that. I have been a supporter of the monarchy all my life. That is not going to change at this point.

Some of the comments that have been made by the honourable member for Simcoe West I agree with in terms of the importance of the crown to our system and how the powers of the crown have devolved over the years to Parliament. It is one of the single factors which distinguishes us, in our parliamentary form of government, from the congressional system in the United States. In my view it makes us a far more representative kind of system, and all because there is such a role as the crown or the monarchy. I want to affirm that. It is appropriate that we begin with an oath as we become members of this place and representatives of the people who have elected us. It is very important to affirm that.

It goes on to say in this form of the oath that is set forward in Bill 111 "that I will obey the laws of Ontario and Canada." I want to speak specifically to that because of some history I have in my life, and that is, before I was a legislator, I actually was involved in an act of civil disobedience. I make the point that it was before I was a legislator. When you become a legislator, your life becomes different. The way you live your life has to be different.

In fact at my trial, where I was eventually convicted for working with the native people in Temagami and supporting their cause, I was the only one of the people going into the trial who put in a plea of not guilty. The other people with me did not put in a plea because they questioned the whole process. I put in a plea because I was a legislator at that time. I felt that if I did put in a plea, I would be saying that I did not recognize the court. How could I do that as a legislator? Long after I had actually committed the act that I did in working with the native people in Temagami, I decided as a legislator that I now had to approach this very differently. So I did put in a plea, albeit not guilty.

In terms of the oath here and what the honourable member is stating, "that I will obey the laws of Ontario and Canada," it is incumbent upon all those who attain office and who become representatives of the people that indeed they do follow the laws of the land, and I want to affirm that again. I agree with the statement that is here in this oath, "and that in carrying out my responsibilities as a member of the Legislative Assembly I will conduct myself with integrity."

With all the cynicism and negativity that has been brought forward by the honourable member for Oriole, she perhaps is right in saying that a new form of oath is not going to quell that negativity or cynicism. I can agree with that, but there does come a point when it is incumbent upon us as human beings, not just as representatives of the people, that we take seriously our responsibilities as citizens. Surely the days are not past that when we make an oath it represents truly what we believe.

I affirm the efforts of the honourable member for Wellington when he brings this forward because he is accurate and right in saying that there needs to be a focus for our commitment to the state, to the crown and to the people. Saying these things in a ceremonial form means we recognize their importance. They are things that are going to affect the way we think, the way we live and the work we do in this place. Again I affirm that particular point of view.

I am glad the member phrased the final part of this—"and that, subject to my own judgement and conscience, I will seek to represent the views of my constituents"—that way because there is a great discussion afield today about recall. If a member votes a certain way on a particular bill and there seems to be, according to some standard which is undefined, a great crowd of people who disagree with the member on this bill within his own constituency, somehow that person is not representing those views. I want to read into the record Edmund Burke's recollections on this. He said:

"Parliament is not a congress of ambassadors from different and hostile interests; which interests each must maintain, as an agent and advocate, against other agents and advocates; but Parliament is a deliberative assembly of one nation, with one interest, that of the whole; where, not local purposes, not local prejudices, ought to guide, but the general good, resulting from the general reason of the whole. You choose a member indeed; but when you have chosen him, he is not member for Bristol, but he is a member of Parliament. If the local constituent should have

an interest, or should form a hasty opinion, evidently opposite to the real good of the rest of the community, the member of that place ought to be as far, as any other, from any endeavour to give it effect."

In other words, what Edmund Burke said was that of course we have to represent our constituents. It would be wrong indeed if any member of this House did not on a very regular basis go back to his or her constituents and seek to understand their needs, aspirations and understanding of the pressing issues of the day. For instance, last Saturday I was with the dairy farmers in Victoria county. I am not an expert in agriculture, yet it is vitally important that I as the member for Victoria-Haliburton have an opportunity to address very concretely the issues and needs they raise.

In terms of representing the people, I must go speak to them and know their needs and represent those things. But I must also, in debate with my other colleagues in this House from whatever party, attempt to address the larger issues of the day and make decisions for the common good on the basis of the debate and the discussion.

The member for Oriole talked about the Liberal Party not whipping votes when it came to private members' bills. I have right here the Votes and Proceedings of the last couple of years of that Parliament and what we see, in many instances, is that the Liberal government often voted against private members' bills that came into this place. I do not know where the honourable member for Oriole was on those votes.

1150

Mr Jordan: I am especially pleased to have the opportunity this morning to speak to Bill 111. It has been put forward by my colleague the member for Wellington. To me, he is an excellent example of a member who has been raised and brought up through society in such a manner as to develop a character that has respect for the Queen, the oath to the Queen, the laws of Ontario and the laws of Canada. I am talking about a member who is actually in the next generation, you might say, to me. It is good to see in that age group that responsibility and interest in coming here to serve.

Relative to the bill, I think it has been pointed out that words alone will not change us. I agree. I do not have the time to go on at any length but I would like to make the point that I am definitely in favour of the change and of each member having to take that oath.

I was pleased to hear from the member for Victoria-Haliburton. I thought he made good references to it in many different ways. I would like to tie into the opening of the Legislature each day. If members think about what the Speaker says when he opens this House each day in the form of prayers, it is a reminder to each member of how we should conduct ourselves in this House and then see what happens as the debate develops. I think we should try to think back to the opening of the House and try to apply it to our thinking as we work in the Legislature during the day.

I had the pleasure yesterday to have present in the gallery a person who sat in this House as a member from

1959 to 1971. His parting words were, "I have never in all my life witnessed such carrying on and disrespect for this legislative procedure and this building."

Mr McLean: I want to comment briefly this morning on the resolution of my colleague the member for Wellington. The member for Wellington is following in the footsteps of his predecessor, Mr Johnson. Mr Johnson was always a gentleman and very well respected by every member of this Legislature for his ability to be sincere. He was one of the quiet ones, like myself.

Mr Curling: Hear, hear.

Mr McLean: That is right, I say to the member for Scarborough North.

I want to compliment the member for Wellington on his resolution. I hope it will put some decorum back into this Legislature. The part of the oath I really would like to talk about is, "I will seek to represent the views of my constituents." That has always been my view in the more than 10 years I have been here, to bring their views here, whether it be in committee or caucus, regardless of where it is.

I certainly had some problem when the reference to the Queen was taken out of the oath police officers take. I think that is one step in the direction the government wants to take, to do away with further oaths to the Queen. We even see today amendments to the Education Act with regard to prayers in the schools. I have had many constituents bring to my attention the problem they have had when parents agree with religious education and the school agrees with it for noonhour, but this government is taking that right away from those people.

We have a Premier who wants to look at a social charter. Is that social charter going to have anything in it with regard to allegiance to the Queen? I commend the member for bringing this resolution forward and hope members will see fit to support it to put some decorum back into this Legislature. I hope that when members take their oath of office that will mean they will represent all their constituents.

Mr Arnott: I am very pleased to take a few moments to sum up and respond to some of the comments that have been made.

I would first like to thank the member for Durham East for his participation this morning. He spoke as eloquently as usual and I appreciate his comments.

The member for Oriole suggested that perhaps this is not needed, that perhaps it is not all that necessary and would not change things. As I said in my initial comments, I do not expect it to change things overnight but I do believe the symbolism of the idea is very important and is a step in the right direction.

The member for Simcoe West talked about the importance of the monarchy. I know his very sincere commitment to those ideas and what he brings forward in this House is something very special.

I would like to respond briefly to a couple of things the member for Victoria-Haliburton said. He agreed with the central idea and I appreciated that. I was quite pleased to hear him quote from Edmund Burke, who some members

may know was the father of conservatism in the western world. His comments ring true today.

I certainly appreciated the comments of the member for Lanark-Renfrew. He talked about meeting Mr Gomme yesterday, a former member for Lanark and a former Minister of Highways. I was very impressed to meet Mr Gomme. He was a very fine and distinguished gentleman. I recall him saying the same thing the present member for Lanark-Renfrew indicated: This place seems to have degenerated to a low that we have to get out of.

I appreciated the kind words of the member for Simcoe East. He talked about the former member for Wellington. Some of the members may know that I used to work for the former member for Wellington, Jack Johnson. He was a symbol of decency and integrity. I certainly hope to emulate some of the fine qualities he brought forward.

I hope this bill passes and goes to the standing committee on the Legislative Assembly for further discussion. I am certainly open to discussing amendments. These words are not written in stone, but I do think it would be an improvement if we expanded the oath we take.

ELEVATING DEVICES AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT LA LOI SUR LES ASCENSEURS ET APPAREILS DE LEVAGE

The House divided on Mr Ruprecht's motion for second reading of Bill 139, which was agreed to on the following vote:

La motion de M. Ruprecht pour la deuxième lecture du projet de loi 139, mise aux voix, est adoptée.

Ayes/Pour-26

Arnott, Bradley, Brown, Caplan, Curling, Drainville, Frankford, Hansen, Haslam, Hope, Huget, Jordan, Kormos, McClelland, McLean, Miclash, Morrow, Murdock, S., Owens, Phillips, G., Poole, Ruprecht, Turnbull, Villeneuve, Waters, Wessenger.

Nays/Contre-14

Abel, Bisson, Buchanan, Carter, Cooper, Coppen, Dadamo, Duignan, Farnan, Fletcher, Lessard, Martin, Mathysen, Mills.

The Deputy Speaker: Pursuant to standing order 94(k), the bill is referred to the committee of the whole House.

Mr Ruprecht: I request that Bill 139 be referred to the standing committee on general government.

The Deputy Speaker: Shall this bill be referred to the standing committee on general government?

All those in favour of this question will please rise and remain standing.

All those opposed to this question will please rise and remain standing.

The majority of the House not being in agreement with the request of the member, this bill is referred to the committee of the whole House.

Bill ordered for committee of the whole House.

Le projet de loi est déféré au comité plénier de la Chambre.

LEGISLATIVE ASSEMBLY AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT LA LOI SUR L'ASSEMBLÉE LÉGISLATIVE

The Deputy Speaker: Mr Arnott has moved second reading of Bill 111.

Motion agreed to.

The Deputy Speaker: Pursuant to standing order 94(k), the bill is referred to the committee of the whole House.

Mr Arnott: To the standing committee on the Legislative Assembly.

The Deputy Speaker: Shall this bill be referred to the Legislative Assembly committee?

All those in favour of this question will please rise and remain standing.

All those opposed to this question will please rise and remain standing.

The Deputy Speaker: A majority of the House not being in agreement with the request of the member, this bill—

Ms Poole: On a point of order, Mr Speaker: There appear to be members who did not vote. It was my understanding that if members are in their seats, they are required to vote.

The Deputy Speaker: The table has reported to me that there is clearly no majority; therefore, I acted accordingly.

Bill ordered for committee of the whole House.

The House recessed at 1208

AFTERNOON SITTING

The House resumed at 1330.

MEMBERS' STATEMENTS

DONALD WILLARD MOORE

Mr Curling: I would like to take this opportunity to pay tribute to a truly remarkable Canadian. This Saturday, November 2, Donald Willard Moore will celebrate his 100th birthday. To celebrate this event and to honour an individual who has given so much of himself to so many others, last week members of the black community held a dinner for Mr Moore. Also in attendance was my colleague the member for Willowdale.

Mr Moore, or Uncle Don as he has come to be affectionately known, first joined Toronto's then small black community in 1913. From the early 1920s onward, he was actively involved in voluntary service on behalf of black people. In recognition of his contribution to his people and his country, Mr Moore has been named to both the Order of Ontario and the Order of Canada.

Among the many causes to which Mr Moore has dedicated his life was the fight he led against Canada's unjust and discriminatory legislation in the 1950s. Donald Moore was instrumental in pointing out the inequalities and discrimination of Canada's immigration policies and seeing to it that these laws were reformed.

Along with another great black Canadian, Harry Gairey, Mr Moore was also committed to improving the working conditions of domestic servants from the Caribbean and elsewhere, who were often subjected to the worst kind of exploitation.

Mr Moore is a courageous man and a compassionate man, a man impatient with injustice and discrimination in all its forms, a man unafraid to speak out and fight for the freedom and dignity of blacks in this country. Mr Moore, happy birthday and thank you very much.

PLANT CLOSURE

Mr B. Murdoch: On Monday Sklar-Peppler furniture manufacturers told more than 200 salaried and union workers that both plants in Hanover were being closed. Last night I attended an employee meeting hosted by the company to explain this distressing situation to more than 250 concerned and affected people. The company explained that as furniture sales have decreased severely, the banks have given it no option but to close the factories. They also explained that salaries and vacation would be paid, but this alone is not enough.

The company has developed a restructuring plan whereby a new company would be established with the assets of the two plants in Hanover. The employees, if they wish, may, alone or with a third party, buy this company. The owners of Sklar-Peppler have been working with officials of the Ontario Development Corp to find a solution. They are meeting again today.

This company is one of the major employers in Hanover. Given the difficult economic times that are certainly

being felt in my riding, every option must be examined before we allow 200 more people to become unemployed.

The workers of Sklar-Peppler will be voting on the company's restructuring plan on November 18. If both the salaried and unionized employees vote to accept this proposal, I would like assurance from the government and the Minister of Industry, Trade and Technology that the ODC will do everything within its power to approve a reasonable and fair financial plan to assist these people in my riding to get back to work as quickly as possible.

INTERVENORS AND SIGN
LANGUAGE INTERPRETERS

Mr Malkowski: I am very pleased to inform members of the House that the Ministry of Colleges and Universities has today released its interim report. This is in response to resolution 13, which I presented in the House May 16, 1991.

The ministry is co-ordinating a provincial review of oral and American sign language and langue des signes québécois interpreter, intervenor and captioning services for deaf, deaf-blind, and hard-of-hearing and deafened persons. Three task force committees have been established: oral and sign language interpreter services; intervention services for deaf-blind persons, and text-based services for deafened and hard-of-hearing persons. The committees include representatives from service providers, consumer groups and trainers, and those groups are in the process of collecting information to prepare their reports. The recommendations will then be drafted to obtain feedback from interested parties all across the province. The final report is expected in the spring of 1992.

This type of review is the first ever that has happened in North America and we are very proud of the Ontario government for taking this important first step. They have involved the community, consumers, advocacy groups and educational facilities, and we hope we will arrive at a comprehensive and practical solution.

The interim report is proof that the ministry is on the right track and we look forward to the final report in 1992.

CONSTITUTIONAL REFORM

Mr Offer: I make this statement profoundly disappointed with the Premier. It is one that other members may not recognize but which bothers me a great deal.

As a member of the select committee on Ontario in Confederation, we have conducted a great number of meetings throughout the province, listening and responding to people's opinions and concerns over the constitutional issue. The Premier has on a number of occasions complimented the committee on its work and non-partisan basis, and that is well appreciated.

Currently we are conducting hearings over federal proposals. One issue not contained in these proposals, but which in my opinion will be commented upon is the social charter proposal by the Premier. To date, the Premier has cancelled a meeting before our committee to explain this issue and did not appear before the federal committee this

last Monday. As members of that committee, we do not know what the Premier means by his proposal, its implications and its impact, and he has not shared this with us.

He has found the time for some back-door meetings with the Prime Minister and other premiers on this very issue. Surely, if the Premier has the time for these meetings, he must have time for the Ontario provincial committee. We are going to be dealing with the federal paper and his own charter proposal. We need to know what his position is on his proposal. I am very disappointed in what I believe is his lack of respect for this committee and its work on this very important issue.

NON-PROFIT HOUSING

Mr Stockwell: I would like to speak today on a housing issue affecting some of my constituents on Martin Grove Road and Hedges Boulevard in Etobicoke. An application has been approved by the Ministry of Housing for the Martin Grove Baptist Homes Corp to build a multi-unit development in the middle of a residential neighbourhood under the non-profit housing program.

My residents have never been given an opportunity to comment on, review or analyse this application. They feel they have been left out of the process and have been forgotten. Let me be very clear: To approve a site in the middle of a residential neighbourhood on slightly more than an acre of land with a density of 35 units is absolutely insane from a planning point of view. It does not meet the planning guidelines of the city and no planner in his right mind would recommend it. Whether it is co-operative housing, commercial and industrial development, high-priced condominiums or stack town houses in this neighbourhood, it would never be given any serious hearings by the city.

The province has now granted them financing so they may go ahead with this development, which has no planning grounds and absolutely no public input. If any private developer attempted this kind of end run it would be given the bum's rush out of Etobicoke.

It is wasteful and insulting to my constituents to use their hard-earned tax dollars to move forward on a project the government refuses to tell them anything about. It refused to show them its plans and it refused to open it up to public scrutiny.

The planning process in the city of Etobicoke has worked for decades and decades. Why is it that everyone has to live within that process except the socialists at Queen's Park who were once the purveyors of process?

LANDFILL SITE

Mr Wiseman: I would like to comment on an issue of great concern to my constituents today. It is the Interim Waste Authority and the process it is following to find a landfill site.

The first stage of this process was to set up the corporation and its officers. They were then given the responsibility to move forward on the process of finding a long-term dump in Durham. Bids were tendered by various consulting firms to do the site selection process. Within this process, public consultation was mandated. In

order to facilitate this public consultation, a document was created setting out the criteria to be used for site selection. The public was then asked to comment on these criteria and to offer changes where necessary.

My constituents were somewhat hesitant to participate in this process, given the long history of landfill in my riding. However, they have participated and are finding this approach to be more open and more likely to find a suitable landfill site than previous methods.

The major change in this process is that criteria for landfill sites were determined before the selection process, and unsuitable sites will be eliminated by the criteria and not against one another. This will ensure the best site and not the best of a bad lot.

A strong component of this process is this stress on waste management and the need to recycle and reduce. As we all know, there is much each of us can do to reduce waste. We can use the blue box and we can compost.

1340

APPOINTMENTS PROCESS

Mr Daigeler: I wish to draw members' attention today to another case of blatant hypocrisy by the NDP. The government continues to claim undeserved credit for having opened up the appointments process to Ontario's agencies, boards and commissions. The government has placed numerous ads across the province advising people to submit their names for possible public appointments. In good faith, many Ontarians took the NDP at its word and sent in their résumés.

As it is, however, the government's self-professed openness is a cruel hoax. People in my riding and elsewhere are wondering why they have heard nothing in response to their applications. For example, two people in my riding sent in their résumés last July for the Nepean Police Services Board. It is now October 31 and they have not even received an acknowledgement of their letters.

If this government cannot handle the applications it receives, it should stop boasting about its fake openness. Advertising for public appointments has turned out to be a complete charade. It is time for this government to come clean and admit that the new appointments process is a total failure.

HOLOCAUST EDUCATION WEEK

Mr Harnick: We must never forget. This week is Holocaust Education Week, which is sponsored by the Holocaust remembrance committee of the Jewish Federation of Greater Toronto. Holocaust Education Week sensitizes all of us to the horrors inflicted on the Jewish people in Nazi Germany. As the sands of time run out and the generation of Holocaust survivors comes to an end, it is important that we remember and deepen our understanding of this dark period in history.

We remember not only the victims but other testaments to human courage. We remember the resistance. We remember the liberators. We remember the spirit of survival of the witnesses. We remember the righteous among the nations. Holocaust Education Week is a significant and vital community event that enables all of us to deepen our understanding of this dark period in our century.

The goal is awareness. The lessons derived from the Holocaust must not be wasted. Millions of deaths must not have been in vain. The lessons of the Holocaust have contemporary implications that are not confined to the Jewish people but have meaning for all of us. Remembering and understanding what life was like 50 years ago will help to prevent all forms of racism, hatred, bigotry and prejudice today. The lessons of history will guide us to shape our children's future. We must never forget.

SMALL BUSINESS

Mr Christopherson: I rise today to highlight to all members of this House the role small business plays in our economy and at the same time applaud the economic contribution of this crucial sector. Modern economies consistently look to small business as the engine for economic growth. During the 1980s, fully eight out of 10 new jobs were created by small business. It is important for all members to note that small firms make up over 90% of the companies in every broad industry category.

One of the key responses of this government to the challenges facing small business is the formation of a committee of parliamentary assistants under the able leadership of the member for Norfolk. The member for Norfolk, who has been appointed by the Premier to be the parliamentary assistant responsible solely for small business, will ensure the committee dialogues directly with the small business community. As co-chair of the committee, I am pleased that the input we receive from the small business community will play a significant role in identifying a number of priority areas that will be tackled in both the short term and the long term.

Along with my 10 PA colleagues from related ministries, we will also examine the regulatory and financial environment for existing business, as well as the potential role of entrepreneurship in the province's economic renewal. We invite the small business community to work with us in these difficult times and advise the government on new ideas and initiatives. Together we will make our province a strong and prosperous place for small business.

VISITOR

The Speaker: I invite all members of the House to welcome to our midst this afternoon, seated in the Speaker's gallery, Mr Doug Martindale, member of the Manitoba Legislative Assembly. Please join me in welcoming him.

PARLIAMENTARY PROCEDURE

Hon Mr Rae: On a point of privilege, Mr Speaker: I am very conscious of these things, and I want to take the initiative to correct the record. Looking at something I said yesterday, I realize that if the paragraph were taken literally and out of the context of what I was saying in the previous paragraph, it could possibly mislead the House, and that is not my intention. I hope members will accept that.

It is in response to the question I was asked yesterday by the member for St Catharines. I said in that answer, "Nothing that would be done by this government would be intended in any way to intimidate or harass or prevent a

member of the opposition or any member of the Legislature from carrying out his or her responsibilities."

I then went on to say in the next paragraph, "No police investigations have been ordered or directed by this government." What I should have said in that answer, what is the case, is that no police investigations into the conduct of members of this Legislature on any side have been ordered by this government. I hope members will accept that correction in the spirit in which it has been offered. I am sure there will be more to be said later on.

The Speaker: I thank the Premier for correcting the record.

STATEMENTS BY THE MINISTRY

NATIVE EDUCATION

Hon Mr Wildman: On behalf of my colleague the Minister of Education I would like to outline for members three initiatives regarding native education. The minister is attending a day-long meeting with native leaders and is therefore unable to be here to deliver this message in person.

The initiatives I will be outlining for members are the native languages policy, the release of the Native Studies Guideline and the availability of a computer software program for the Cree language, which is a syllabic language.

First, I am pleased to announce the new policy regarding native languages. Members may be aware that a policy regarding native as a second language has been in place since September 1987. In that policy, the provision for native language instruction was optional for school boards. Beginning in September 1992, school boards will be required to offer a native languages program where the parents or guardians of 15 or more students request instruction of a native language and a qualified native language teacher is available. A school board may offer the program for less than 15 students after considering the feasibility and cost of the program.

Native language classes are to be offered during the instructional portion of the school day. If the parents or guardians wish their children to participate both in native languages and French-as-a-second-language programs or anglois programs, school boards will have to make arrangements to accommodate both programs.

A native language credit course can be recognized to replace the French-language credit course or the anglois course currently among the compulsory credit course offerings leading to the Ontario secondary school diploma. There are six native languages offered through the program: Ojibwe, Cree, Deleware, Mohawk, Oneida and Cayuga.

The Ministry of Education will continue to provide financial assistance to school boards to offset operating costs of the native languages program, and five-year support, at the rate of \$200 per pupil, for development costs to new boards offering the program. The new regulation governing native languages will be in place in the spring of 1992. Following the new regulation, a policy-program memorandum will be sent to school boards by the Ministry of Education outlining the new policy in detail.

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I would like to turn now to the second of these initiatives, the release of the new Native Studies Guideline. The Native Studies Guideline, intermediate division, 1991, outlines a program of native studies for grades 7 and 8 that explores community organization, social change and social conflict from a native perspective. The guideline also outlines two courses for credit that may be offered in grades 9 or 10. One of the new courses can be used to replace the compulsory course in history. In addition, it provides teachers with a foundation for integrating a native perspective across the curriculum. Native studies courses are available to native and non-native students alike.

The third and last initiative I would like to talk about is a software program for the Cree language. The Cree syllabic text editor is a user-friendly software program which not only displays the syllabic text but also speaks to the user. An audible voice pronounces syllabics which appear on the screen so that the user learns both visually and aurally. The program utilizes both eastern and western Cree syllabic texts and was developed in conjunction with Cree peoples in Attawapiskat, Fort Albany, Kashechewan, Moosonee and Moose Factory.

The text editor is currently being tested in three schools in northern Ontario. It is available to all publicly funded schools in the province, as well as in schools administered by the Department of Indian and Northern Affairs and band-operated schools. Funding for the development of the text editor and the Native Studies Guideline was shared between the Ontario Ministry of Education and Indian and Northern Affairs Canada.

Through these initiatives the Ontario government has demonstrated its commitment to improving the educational experiences of native students. These initiatives will provide the opportunity, in communities where there is demand, to build towards some fundamental improvements in the quality of native education.

These changes to native education follow in the spirit of the recently signed statement of political relationship between the province of Ontario and native communities to deal with each other on a government-to-government basis. I would like to congratulate my colleague the Minister of Education and the Chiefs of Ontario for this advance in education for native people in Ontario.

LONG-TERM CARE

Hon Mrs Boyd: Today the Ontario government is launching a series of public meetings and consultations province-wide to discuss long-term care services and programs.

Long-term care is the joint responsibility of three ministries. I am making this statement on behalf of my ministry, the Ministry of Health, which has now taken the lead in this endeavour, and the Ministry of Citizenship.

This morning the Minister of Health made a similar statement in Kingston at Providence Manor Home for the Aged. Just about an hour ago, the Minister of Citizenship also announced the release of the consultation paper at Copernicus Lodge in west-end Toronto. This location was chosen in order to reach out to our multicultural community and encourage dialogue with groups that have

traditionally been left out of our deliberations and whose voices often have not been heard.

Our purpose is to review the proposed redirection of long-term care through discussion with the people who use long-term care services, their care givers and workers in the long-term care system. We have produced a document called *Redirection of Long-Term Care and Support Services in Ontario*, which is designed as a consultation paper. Members received their copies this morning.

This document presents the various issues involved in long-term care, what services are needed and how to ensure that services are available to those who need them. It incorporates the proposed new directions in long-term care announced in June by my predecessor.

Let me briefly recall for the House those directions:

Expansion in funding for community support services, with flexible funding arrangements and assurance of greater community participation; better co-ordination of services through new service co-ordination agencies; realignment of funding policies to further shift the emphasis from institutional to community-based services and to reduce regional disparities; increased funding for supportive housing, and no charge to consumers for services in the home.

This Redirection paper will be widely distributed to people who have an interest in long-term care. We are asking them to read it, talk about it and think about it. Then we plan to hold meetings and workshops in communities throughout the province.

As I mentioned, the response of people who use long-term care services will be particularly valuable, and this will certainly include the consumers: those in nursing homes, homes for the aged and other care giving facilities, those living at home, those in the community and their families. We are going to do our best to include everyone with an interest in long-term care in these discussions. That means people who provide care and people who work as advocates. It means labour groups and women's groups, cultural and racial organizations and representatives of federal, provincial and municipal governments.

We are going to make sure that aboriginal peoples and the francophone community in Ontario have an opportunity to talk about their concerns and needs. We will be guided by aboriginal organizations in designing a separate consultation to plan for long-term care supports for aboriginal peoples living both on and off reserves.

These are some of the topics for consultation:

Reduced reliance on institutional care. We are planning major funding increases over the next five years to build up a solid base of community supports in home and family settings.

New links and relationships between health services and social services to allow easier access to the programs people need.

Reduction of the regional disparities now existing. No matter where people live in this province, we want them to have access to appropriate long-term care services.

This government is determined to make the consultation process both open and accessible. We are committed to listening seriously to every participant and considering

all points of view. The redirection of long-term care and support services promises to be exciting. I invite the interest and support of all members of the House as we plan for the future of long-term care in Ontario.

AGRICULTURAL LAND

Hon Mr Buchanan: A number of members have recently raised questions about our government's response to proposed revisions of the Niagara region official plan. As members may recall, these revisions are intended to relax the severance policies in agricultural areas, including a provision to allow severances to tender fruit growers for economic reasons. Under the proposed policy revisions, a tender fruit grower could get up to seven severances on a 70-acre parcel of land.

Niagara region is to be commended for its past endeavours in land use planning and in particular in its efforts to protect the agricultural land base. We understand the region passed the amendment with great reluctance. In taking this course of action, we also realize council had the interests of the area's farmers in mind.

However, we do not feel the solution to Niagara's tender fruit economic problems will be found by fragmenting the land base. In fact, we believe such actions will create further problems for agriculture in this area. We cannot forget the servicing, environmental and other problems that result from scattered development.

This government is committed to the protection of agricultural land in Ontario, including the unique Niagara fruit lands. The province does not approve of the weakening of long-standing regional policies to protect these unique, irreplaceable lands.

As the Minister of Agriculture and Food, I place great importance on the economic needs of fruit farmers in the Niagara area. I believe we have demonstrated our commitment to agriculture. In spite of tighter budgets, cabinet recently approved an additional \$6 million for horticultural crops to assist farmers this year. We are working with the farm organizations to have longer-term programs in place for next year.

In addition, the Ministry of Agriculture and Food has initiated other means of supporting Niagara area tender fruit farmers by examining alternative safety net programs and providing marketing assistance. I have also instructed the ministry's Innovation Agriculture unit to address alternative crops and markets for the Niagara area.

The federal government has allocated \$100 million for horticulture and other crops across Canada. In my discussions next week with the federal Minister of Agriculture, Bill McKnight, I will be pressing for Ontario's fair share of this funding, which would directly assist horticultural producers in the Niagara area.

Within my ministry, we have a committee looking at other options to help the tender fruit industry, many of which were presented in the Niagara task force report.

I want to share with the House, as we have already done with the regional chairman of Niagara, Mr Wilbert Dick, our initial response to the region's proposals.

It is important that the government respond quickly to these proposals because the region has decided to

implement the amendment after November 1. This means that the region's land division committee could grant severances under these new policies after November 1.

1400

We are advising the region today, in a letter signed by the Minister of Municipal Affairs, that the proposed policies for economic severances for tender fruit growers, severances for family members, the creation of new lots for infilling in the unique agricultural areas and the removal of the existing grandfathering provision applicable to retirement lots cannot be approved.

We have also decided to defer the decision on the proposed policy that allows downsizing of tender fruit operations, as more time is needed to evaluate this option. We have instructed our staff to meet with regional officials and the farm community to discuss the implications of the downsizing proposal. A decision will be made on this issue very soon.

We have also instructed staff to appeal all severance applications which do not meet the currently approved regional policies to the Ontario Municipal Board.

I hope the members of the House understand the reasons for our actions today. The long-term solutions to economic problems facing our agricultural communities are not achieved by paving over or fragmenting irreplaceable farm land. We will continue to pursue solutions to the economic problems before us, as our collective resources will be needed to improve the viability of farming. In Niagara, we hope these collective resources include the region, the farm community, the federal government and all members of this House.

RESPONSES

LONG-TERM CARE

Mrs Sullivan: I am responding to the statement relating to long-term care. I am surprised the minister did not wear a clown costume into the House today, because it is Hallowe'en and in fact she is treating this House as a masquerade party, because in this announcement there is nothing behind the mask.

More than two years ago, the then Treasurer announced the commitment of the government to changes in long-term care that would be the most important developments in social services since the introduction of medicare. There was a funding commitment behind that, and I refer back to the introduction of strategies for long-term care. The government of Ontario in the fiscal year 1990 committed \$52 million towards reform specifically to strengthen community services. Those new expenditures would rise to \$640 million annually by 1996-97, and the total would represent an annual expenditure of \$2 billion over the next six years.

That announcement was made two years ago. With that announcement came a consultative document called *Strategies for Change*, an important document that asked consumers, care givers, institutions and facilities to participate in a serious process of consultation to bring needed change to how we care for people with lifelong disabilities,

ationalizing services and making them responsive to the needs of changing demographics and concepts of care.

The document that the minister has spoken about today simply envisages a consultation on consultation, meetings on how to meet and talks on how to talk. We know how his government consults. It makes unilateral decisions, and it has already done so in this field. It has made decisions already on who can have a place on service access agencies. Public health departments have been told they cannot be part of that process. It has made decisions on level-of-care funding based on the Alberta model without consultation with chronic care hospitals. It has made decisions on cutting hospital beds and cutting services, saying that services will be provided by community agencies with no money, no guidelines and no system of support.

Hallowe'en is associated with trick or treat. There is no treat here. This is a trick.

AGRICULTURAL LAND

Mr Bradley: The news that is brought to the House by the Minister of Agriculture and Food will no doubt cause a revolution among farmers in the Niagara Peninsula. The reason for that is that while farmers, I am sure, would be prepared to accept that there would not be modifications to the official plan, and those who want to preserve agricultural land in the province would indicate that they would be against the severances which were proposed, on the other hand they will be deeply disappointed that in compensation for these concessions, they will receive nothing from the government of Ontario.

We have a Treasurer in this province who is looking to sell off certain things in the government, certain properties and other things in the government, to meet its financial obligations, but the Minister of Agriculture and Food does not want the farmers to be able to do so. He is prepared to pave farm land so the Ministry of Agriculture and Food can have its weigh station for trucks, but he will not allow farmers to develop their land. He refuses to act upon so many of the suggestions that have been brought forward in task force reports by farmers and by agricultural representatives across the province.

Those of us who live in urban areas will be delighted with the fact that the minister is refusing to grant severances, that he is refusing to make changes to the official plan. But farmers and those of us who understand the plight of farmers in this province will be deeply disappointed that there is not an extra dollar for the farmers of the Niagara region, who are going to be forced to stay on the land, forced to farm land uneconomically because this government, which seems to have a lot of money to help other industries in the province and seems to have lots of money to help other parts of the province, will not devote that same money to the people of the Niagara region—that investment in people, that investment in farmers, which will allow them to be part of those who would be applauding rather than attempting to criticize this particular announcement by the minister.

NATIVE EDUCATION

Mr Beer: I rise to comment on the belated announcement made by the Minister of Natural Resources with respect to native language policy. I think, as the minister knows, that there is an excellent foundation on which this policy is built, and I would note the role played by my colleagues the member for Scarborough-Agincourt and the former Minister of Education, Chris Ward.

I think what is particularly important is that the minister recognize that this costs money and that, when he is asking school boards to carry out these programs, he makes certain they have the money so that they can go on. These are important initiatives and they have to be properly funded.

Mr Harnick: I am responding to the minister responsible for native affairs. I have nothing but praise for the statement he has delivered here today. What he is doing is preserving languages, culture and history that are very important to preserve, and I praise what he has done.

AGRICULTURAL LAND

Mr Villeneuve: I want to thank the Minister of Agriculture and Food for making this statement in this Legislature, where statements should be made. I thank him for doing that. The statement he has just made, however, does not alleviate a great deal the major problems that are out in rural Ontario. His second paragraph says that he is allowing policies to allow severances in tender fruit growing areas. Then he says, "Well, all of these won't be allowed, and we've also instructed staff to appeal all severance applications which do not meet the currently approved regional policies of the OMB."

How much money is he going to spend on that? The millions that were spent in Ottawa to fight Terrace Investments and the Ottawa Senators was money thrown away on a purely political exercise, and I do not think we need that right now with the way agriculture is.

I was in Lucknow when over 1,000 farmers told us they are in very, very desperate straits. I was in Leamington and spoke to a number of farmers who have had three bad years out of four. Things are not good in the great southwest. I was in the Niagara area and I saw plenty for-sale signs, as I am sure the minister is aware. Thank goodness he is recognizing it, but he really has not done a thing.

Common sense has to prevail. Yes, we want to preserve the Niagara fruit land; we also want to preserve the people who operate those farms. They are just as important, if not more important. We need common sense across the province. I come from rural eastern Ontario, where things are not much better than anywhere else. When we have marginal land for which an application for severance is requested and his ministry is fighting it tooth and nail as a purely political exercise, that is wrong. He should look at it across the province.

1410

LONG-TERM CARE

Mr J. Wilson: I cannot believe we waited for more than a year for this document concerning long-term care

from this government. The Minister of Community and Social Services already announced last June the \$647 million. I guess that announcement was made in a vacuum, because today the government tells us it is going to consult about consulting. This is not redirection; this is no direction from the minister's government.

The report released by the former government also recommended more consultation, and that was 18 months ago. When is the government going to take some tough decisions in terms of long-term care? The district health council and the Simcoe County District Health Unit have already told the minister that she does not need to set up 40 new co-ordinating agencies. What she is doing today is telling us that she is going to set up a huge bureaucracy across this province: 40 new agencies in communities that already have district health units and district health councils that can co-ordinate these services for her.

I am surprised the minister is not taking a more in-depth look at this right now, rather than telling us she is going to consult about consulting. It is sad, and I just want to say I am sorry that seniors and persons with disabilities and their families have waited so long for so little.

Mr Jackson: I would also like to comment that this government has false-started announcements on four separate occasions. If this is what we have been waiting for in terms of the minister's direction on long-term care, I agree that it is no direction whatsoever. There are groups in this province which are being assaulted by her funding cuts today, and yet she says she is going to talk about it for the next two years before we will have a budget plan in place to deal with long-term care transition in this province.

The truth is that \$37.5 million was ripped away from chronic care hospitals in this province in order to pay for this study and for the ongoing consultation for the next two years. Some 13,000 chronic care patients—these are children who have been in car accidents, our grandparents who have made their contribution to society, and they are stuck in these institutions—and what has her government said? It has said she will not get any redevelopment dollars in the next two years unless she redefines her beds and cuts beds.

That is the agenda for this government in long-term care. It is to cut services and to cut beds without providing alternative support services. The member for Bruce two days ago brought to the attention of the House the true agenda. Let me just simply say that the Premier's agenda to con the people has now become the socialist agenda to harm our senior citizens. The government had better look at this document, because that is exactly what it does.

MINISTERIAL STATEMENTS

Mr Miclash: Mr Speaker, I would just like to bring to your attention yet another example of this government not allowing me to express my privileges here in the House. Just moments ago, I was informed of an announcement that is going to be made in Sudbury, I believe. This is an announcement to be made by the Treasury on Monday to announce a Canada and Ontario joint initiative for northern Ontario.

I would look forward to being able to make some comments on that announcement, should it be made here in the House, and I cannot believe the Treasurer has taken that announcement to Sudbury on Monday morning, when I will be on my way—

The Speaker: Will the member for Kenora take his seat. The member will know that the Speaker has dealt with this matter before. It is not a point of privilege.

Mr Harnick: I am delighted to see that the government is starting to make statements again in the Legislature, but it is doing it in a very selective way. I notice that the Attorney General has been out making announcements today about Bill 17.

The Speaker: Would the member take his seat, please. There is nothing out of order.

ORAL QUESTIONS

ONTARIO ECONOMY

Mr Elston: I appreciate that the government was kind of full in its statements. There were a lot of things happening today, and I appreciate that some of its ministers were able to make it back to make their announcements here. I seriously do appreciate that. It gives us a chance to respond to some of the things that are happening.

I would like to ask a question of the fellow whose picture was the lead so that Diane Francis's column could be read in the current issue of Maclean's magazine. It is our own Premier on there among the three New Democratic Party people, the lean New Democrat from Saskatchewan and the pragmatist from BC. I want to know a little bit more about our own Premier, Mr Speaker, if you will allow me.

This gentleman has decided, and his minister, the Solicitor General, said yesterday that there could be nothing done to save the 3,000 jobs in the drugstore industry that were talked about yesterday. Yesterday they also indicated that they were prepared to intervene and help save the jobs, and in fact even create some new ones, at de Havilland, where there were problems. They also intervened to save some jobs in Kapuskasing, and temporarily, some in Elliot Lake, but they were not able to do anything to save any of the jobs at General Tire or at Kolmar in Barrie, some 300 jobs. I would like to know from the Premier exactly how he determines which jobs will survive to participate in his economic recoveries and which ones will not.

Hon Mr Rae: First of all, let me say to the member that we try to respond in those areas where it is very clear that everyone involved—the companies, the workers, the creditors and the community itself—is prepared and everyone out there is willing and able and wants to participate in either a restructuring of the company or in some kind of creative proposal.

If the member is asking me what is it that drives us, for example, with respect to de Havilland or with respect to Spruce Falls, the answer is very clear. It is the fact that everyone involved—the federal government, the provincial government, the companies themselves, those who are seeking to sell and those who are seeking to find an arrangement—needs to

have some creative work done by this government to help find a solution. That is the approach we have taken in the critical situations the member has described.

Mr Elston: It is an interesting summation that basically there is no overall strategy. If one of the people mentioned appears to have a veto, it seems to me the Premier has just said he is unwilling to intervene to help save any jobs.

Hon Mr Rae: No, that isn't true.

Mr Elston: He indicated he had to have everybody along for the ride or he was not going to participate.

When the Treasurer of the province spoke with some eight or more women from State Farm Insurance, he told them in their encounter in the hallway that there were far too many jobs in the private insurance business sector and that some of those would have to be lost. This was prior to the government's indication that it was not going to take over the business. I wonder if the Premier can tell us which part of his long-awaited industrial strategy will deal with which jobs are, in essence, worth saving and which ones are not.

Hon Mr Rae: First of all, I should tell the honourable Leader of the Opposition that the Treasurer does not accept the views that have been ascribed to him by the member. Since he prefaced his remarks by attributing some remarks to the Treasurer, I thought I had an obligation to at least get him a chance, if not to clear the record, at least to equal the record with respect to the comments the member has made.

I would say to the Leader of the Opposition that saving jobs is a very important part of the strategy—it has to be—making sure that we are saving as many of the jobs as we can. The honourable member knows full well that was a very much part of the reasoning behind our decision with respect to insurance, and I make no apologies for that. That is the reason we made the decision we did, as well as the question of cost. Saving jobs where they can be saved is a very important element of any economic strategy for this province. It has to be.

Mr Elston: While the Premier responds today that saving jobs is a priority of his, he was here when the Minister of Health celebrated that some 217 beds were closed at Toronto Hospital and some 250 nurses laid off, saying, "It was effective management of the system," and, "We are going in exactly the right way." Surely the Premier must recognize the inconsistency between his policy of spending millions of dollars to save some jobs, on the one hand, and the declaration by his Minister of Health that nursing layoffs are going in the right way. I wonder if the Premier can tell us how many more jobs he will let his ministers cut as part of his strategy of economic renewal.

Hon Mr Rae: I like the Leader of the Opposition—do not ask me why—but he stretches the spirit of affection which is there in me when by putting together two sentences that are totally different, he attributes views to the Minister of Health that are totally unfair. No member of his cabinet, no member of the government, no person in his or her right mind would celebrate a situation facing hospital workers where potentially their jobs are at risk.

Nobody would celebrate that and the member's use of the word "celebrate" is most unfair to the Minister of Health.

It is not an easy time for the economy. There will be some changes in some sectors. There will be some changes with respect to government services. This is a tough reality that we have to face. The fact of the matter is that we are trying to save as many jobs as we can as effectively as we can, and we are also trying to manage the taxpayers' dollars as fairly as we can and create the most effective health care services we can across the province.

1420

Mr Elston: I only observe that there was a certain touting by the Minister of Health about what effective managers they were in cutting all those beds, and as a result all those people lost their jobs. The Premier knows that and they know that.

LONG-TERM CARE

Mr Elston: I have a question for the Minister of Community and Social Services, who arrived here to deliver the message the Minister of Health delivered a little bit earlier in Kingston. Today, with the release of the long-term care strategy paper, we were really expecting to see the yardsticks being moved a considerable distance by this government. What we received instead was a further delay on service improvements and improvements in quality of life that the people of Ontario expected from this New Democratic Party government.

We now know that we should no longer expect any action on long-term care until well after next year. In fact, the line that amazed me was that there were community groups being established to advise the ministry people on how to consult on the issue. What is the point in consulting when instead of a road map to recovery, all these people are offering to anybody is deadend consultation? Why is it, and what is the real reason they are delaying the improvements in community care for people with long-term care needs?

Hon Mrs Boyd: The reason we need to consult again is that we have made significant changes in terms of the redirection of long-term care. In the spirit of wanting to consult and ensure that we have a consensus in Ontario on the care of the elderly and the disabled, we felt it was essential for us to go back to the community with our new vision.

Our vision is quite significantly different. It involves much more flexible funding arrangements. It involves a system that has no charge to consumers for services that are provided in the home, quite a considerable difference from what was proposed by the previous government. We intend to use the substantial investment we are making in supported housing programs to supplement the kind of care we are offering.

We are reallocating funds from the hospital sector and we have been very clear about that. The only way to improve the community base of long-term care to get it out of the hospital care area is to reallocate funds. That is a direction that requires considerable consultation with the workers involved, with the administration of those facilities and with the communities.

Mr Elston: I would like to ask the minister how she can stand here and deliver a story like that when really all these people are doing is disguising the fact that they are unwilling to put any money into community services. Quite the contrary, as part of their restraint program they are requiring the Minister of Health to cut back on delivering services that are needed in the community. To show us she has done something, would the minister tell the House how much her ministry and the Ministry of Health have put into community services and improved institutional services as new money for this current fiscal year?

Hon Mrs Boyd: I think the member opposite is quite aware that this is a long-term plan and that a lot of the delivery systems are projected into the future in terms of the kinds of dollars we will be spending. One does not enter into a consultation process and be redirecting the money. What we are looking at over the long term, by 1996-97, is a total of \$647.6 million more per year for long-term care and support services. In that whole package is a reallocation from the hospital budget, revenue in terms of the accommodation costs in long-term care facilities, and \$460 million will be in new provincial funds.

Mr Elston: It is pretty obvious that the long-term care here is long-term care of the program consultation, and nothing to do with the people who need services. I would like to ask the minister why they are going on this consultation when they have already made decisions on key elements of reform, like the service access organization, like the levels-of-care funding issue. Is it not a little bit remote, as the minister's colleague the Minister of Health stated this morning, in the name of "consultation" to set up advisory groups to advise her people on how to consult?

In reality, nothing is happening with those people. Gerard Kennedy is right when he says the New Democratic government "hasn't done anything yet that makes any sense." While the minister is busy tearing apart the system, why does she continue to evade the need to do something to put services in the community, at the same time as she applauds the Minister of Health who is tearing down hospital services?

Hon Mrs Boyd: The member opposite has characterized the action of the government in a way that is not at all fair. We have continued the consultation at the request of our communities. We had a focus group that involved all the groups I have mentioned with which we will be consulting, which said very specifically that what they needed from us was a longer period of time to make known their needs, particularly consumers, community organizations, native groups, and racial and cultural groups, which did not feel included in the previous consultations that had gone on. They felt their needs had not been assessed.

When the member talks about tearing down hospital services, he is of course quite incorrect. We are reallocating resources and we will have to reallocate those resources gradually to ensure that those now in long-term care in hospital settings are still cared for while we are moving to a community base.

AUTOMOBILE INSURANCE

Mr Tilson: I have a question for the Minister of Financial Institutions. This morning the minister gave a speech to the Insurance Brokers Association of Ontario. In that speech he said he was not convinced of the merits of restoring a right to sue. Last December, when the minister voted for the member for Leeds-Grenville's private member's bill restoring the right to sue, he was convinced then. Last year during the election campaign, the member was convinced of the right to sue. When the Liberals tore the guts out of the rights of the individual to sue, he was convinced of the right to sue. Why is he no longer convinced?

Hon Mr Charlton: Let me say to the member that consultation—

Interjections.

The Speaker: Order. Would the member take his seat. The member for York Mills.

Interjection.

The Speaker: Well, good line or not—and we still like each other, right? Okay. The minister.

Hon Mr Charlton: Let me just very briefly say to the member that consultation can do wonderful things when you sit down and listen to those who in fact ultimately have to receive the benefits of whatever system you put in place to deliver benefits to accident victims. One of the things we learned during the course of our consultations over the last year is that a large number of victims have never been adequately served by the legal system, and our conclusions after listening to those victims—

Interjections.

The Speaker: Take your seat. When the House has come to order, then perhaps the minister will be able to continue and the Speaker will be able to hear what is being said.

Hon Mr Charlton: Our conclusion, after listening carefully to the victims we spent a considerable amount of time talking to, is that we can much more fairly and effectively and adequately deliver benefits to those victims in a benefits package to which they are entitled without having to wait three or four or five years for court action.

1430

Mr Tilson: Interesting policy. This morning the minister told the insurance brokers that the reason he was no longer convinced is that, "For the majority of consumers, the tort system is slow, unpredictable and stressful." That is the new word, it seems, the new S-word.

I suggest that the problems created by the justice system are the responsibility of the Attorney General and not the Ministry of Financial Institutions. Because the system is slow in remedying the rights of the individual, you do not simply cancel his rights.

The minister said this morning he would like to reinstate the ability of more innocent accident victims to sue for pain and suffering. He did not say all innocent accident victims would be able to sue for pain and suffering, just more. How many more innocent accident victims will be able to sue for pain and suffering—10%, 30%, 70%? How many?

Hon Mr Charlton: The member has already raised this question in the House and the response to the question is quite simple.

Interjections.

The Speaker: Order. Would the minister take his seat, please. The member for Dufferin-Peel posed a question. I assume he would like to hear the response. He would be able to hear the response if the member for Willowdale would allow him to hear the response.

Hon Mr Charlton: As I have said to the member across the way and to some of his colleagues, we are in the process of reviewing the threshold—a threshold which we believe is too difficult—set by the Liberals in the former piece of legislation. When we are ready to table our legislation, the member will know the answer in terms of what the threshold will be and how many people will pass through that threshold. But I am not about to announce the legislation in this House until I am ready to announce the whole package.

Mr Tilson: The minister obviously does not know the answer. He seemed to know about a year ago, but as time goes on he is asking for more and more time. The wheel is going to fall off.

What the minister does know—because he obviously does not know the answer to that question—is that the real need for seeking redress to the courts is the failure of his insurance scheme to accommodate economic loss. It seems more and more clear that he is not going to accommodate the issue of economic loss. Can the minister tell us why he does not intend to reintroduce the right to recover for economic loss?

Hon Mr Charlton: Again, I am not going to waste a lot of time on this because the member has now asked this question three times in the House. We intend to deal with the economic loss questions in the benefits package in first-party benefits.

ONTARIO ECONOMY

Mr Harris: On September 23 the Premier said, “Renewing our economy must be the centre of focus of our work as a province.” I agreed with that statement then and agree with it now.

Today I released a document called *New Directions: A Blueprint for Economic Renewal and Prosperity in Ontario*. In the absence of what this House has been given as a comprehensive plan from the government to date, and since on September 23 the Premier asked “the advice of the House,” I ask the Premier if he would agree to seriously consider the proposals I sent to his office this morning in the spirit that they were drafted.

Hon Mr Rae: Of course I will. Let me say by means of preface that I have had a chance to read this proposal from the leader of the third party this morning. There are some interesting ideas in it. There are some ideas with which I think we are moving in the same direction, particularly in the training area. If I may say so, I think we are all agreed there.

We just negotiated an agreement with the federal government in which this government has succeeded in

achieving an increase of more than 80% in funding from the federal government for training here. I have appointed a deputy minister, Naomi Alboim, with the particular responsibility of pushing the strategy through the bureaucracy and continuing the consultation process with business and labour on that subject.

There are some other areas with which I take issue with the leader of the third party in terms of the net effect it would have on the economy. I very much appreciate his having sent this to me and I think there are some ideas which I will not only scrutinize myself but will ask our officials in Treasury and elsewhere to have a good, hard look at.

Mr Harris: One of the things the Premier said in the September 23 statement was that saving jobs was important. I agree, and this document was prepared in that context. He said, “Our industries have to be able to buy and sell in Canadian and world markets at competitive prices or they will not be able to survive.” I agree, and this document was prepared in that context. He also said we need a sustained effort to get people off welfare and back to work. I agree, and this document is a reflection of that.

We really have not seen a comprehensive plan or solutions that seem to address those specific statements. I know the Premier has been busy with other things. *New Directions* is based on what Ontarians have been telling me and my caucus. It is consistent, I believe, with what I have been saying all along, that the government of the day seems to be moving in a direction that is different from answering those concerns and those questions.

Would the Premier agree to stop heading in directions that are counterproductive to answering those questions and not only truly examine these proposals but, in the spirit in which they were given, have an all-party committee, or have the three of us sit down and work with these proposals that come from Ontarians themselves, who want answers to those very same questions the Premier raised on September 23?

Hon Mr Rae: Of course there will be ample opportunity here to debate the suggestions made by the honourable member. I would only say that I take issue with him, for example, when he says that the steps this government has taken have been contrary to or against the interests of getting Ontario back to work.

I would argue very strongly that the efforts we have made in terms of the budget, in terms of what we have done, while they have been criticized by some, I think many people, including people in the business community, recognize in their private moments that if we had not taken the steps we have taken, the recession in Ontario would have been far more serious than it is right now.

Mr Harris: I truly want to be as non-partisan as I can in this. The Premier’s statement on September 23 also said, “Finger-pointing is a luxury our economy cannot afford.” I respect that and I agree with him.

It is in that non-partisan spirit that I ask the Premier and the Treasurer to sit down with me and perhaps members of my caucus—if the leader of the Liberal Party and members of caucus wish to participate positively, I suggest

they be involved as well—to discuss Ontario's economic crisis, the fact that we cannot compete today at the taxation, regulatory and spending levels that we are at, and truly look at how we can set the priorities to get us to that level where in fact we can compete.

I ask the Premier if he will make that commitment. He has said in response to the question that we will have ample opportunity to debate the proposals. I accept that. He knows I do not have a vehicle, nor does my party, to put this document on the agenda for debate, but the Premier does. If he would even follow up on that suggestion in his response and have this document referred to an all-party committee, that report can then be called by his House leader and we can have a chance in a non-partisan way to debate it in the Legislature. I would accept that offer if he were sincere.

Hon Mr Rae: There is a committee responsible for the pre-budget consultation and not only would I have no objection, I would encourage the committee to discuss the member's paper as well as other suggestions coming from the public with respect to economic changes which are going to be necessary.

One small fact the leader of the third party may not have been aware of but which I am sure he would want me to share with the House is that Statistics Canada and Investment Canada this week released information with respect to foreign investment in Canada over the past while. The overwhelming evidence, and it has been trumpeted in the Quebec media but not here, is that three quarters of the foreign investment coming to Canada in the last while has been coming to the province of Ontario. That tells us something about the level of confidence that really exists today with respect to our government and with respect to the general level of the economy that we are heading into.

1440

TRANSPORTATION FOR THE DISABLED

Mr Offer: I have a question for the Minister of Labour regarding the strike affecting the Disabled and Aged Regional Transit System in Hamilton, which is now into its ninth day. As the minister knows, this system provides a necessary service to 9,000 riders. As he will also be aware, last week in an article by Emilia Casella the Minister of Transportation was quoted as saying, "People have to be even more imaginative and innovative." I think the minister will agree that type of statement is lacking and unfeeling in the extreme.

He will be aware that during the recent TTC dispute he used all of his resources short of legislation to push for an end to the strike. Can he inform the House today whether he intends to take the same steps he took during the TTC strike to ensure that the 9,000 users of this transit system will have service restored immediately?

Hon Mr Mackenzie: I think the question is a good one. Any situation involving a strike where the facilities that are out take care of the handicapped and some who are not quite as well off as many of us in the community is a serious situation and one that we have been taking seriously. We are looking at it and our senior mediators have been looking at that situation over the last several days.

Mr Offer: During the TTC strike the government not only ordered a provincial mediator but it also held a number of special cabinet sessions, forced an all-night bargaining session and directly supervised the final vote to resolve the dispute. During that strike the public were able to walk to work, took their cars and even rode bicycles to cope with the transit shutdown, but these are not options for the users of the system in the minister's riding.

Will the minister commit today that in the event these efforts fail, he will bring forward back-to-work legislation to provide service to those people who need the service immediately?

Hon Mr Mackenzie: The member will be aware that was a push almost from day one during the Toronto transit strike. We did not use the back-to-work order. We were able to achieve an agreement there and we hope to be able to do exactly the same in the DARTS strike in the city of Hamilton.

AGRICULTURAL LAND

Mr Villeneuve: The Minister of Agriculture and Food has just announced that he will be fighting severances granted by the Niagara land division committee by going to the Ontario Municipal Board. Given the Terrace Investments catastrophe that cost the taxpayers of Ontario probably well over \$1 million, how much money does he intend to set aside to fight farmers against severances they are asking for to prevent them from going down the pipe?

Hon Mr Buchanan: As I tried to indicate in my statement, we are going to have discussions with the region in terms of the downsizing operation, but the Ministry of Agriculture and Food is trying to focus on how to help the farmer. We do not believe that the suggestions coming out of the region are the answer.

The answer, as the member said earlier, is to try to save agriculture and save the farmer. That is what we are trying to do in this government. We are not speculating about what it is going to cost to fight anybody; we are working in our ministry to see how we can assist the farmers in that area and how we can get the federal government to work with us to assist the farmers in that area and not focus on what it is going to cost to fight. We think farmers want to save the land. We think farmers do not want to sever those lots down there in that way and we do not expect to have any major fights in the area.

Mr Villeneuve: The minister will be spending millions of dollars to fight farmers for what this government is considering doing. This government is considering selling capital assets to reduce its deficit, yet when the farmer and his family are going down the financial tubes, this government will spend millions of taxpayers' dollars that should go to Agriculture and Food to fight them.

I agree that we have to save the farmers. As I showed the minister a while ago, signs have been appearing and have been prevalent in the Niagara area for several months. They are not crying wolf. Will he not look again, and instead of fighting a crass political fight, put a little common sense into it, not only in the Niagara area but across the province, and allow some severances where

indeed common sense would indicate they should have them?

Hon Mr Buchanan: I think that is what I indicated a minute ago. We are interested in assisting the farmers. A targeted part of the aid package we have already announced had horticulture in there. There is a targeted part of the federal assistance package that has been announced, and we are going to Ottawa next week to ensure we get as much of that for Ontario farmers as possible. A lot of that money will eventually find its way into the tender fruit industry in the Niagara area. We very much want to save farmers and are doing as much as we can to provide the financial assistance that is necessary.

The region has had a very good track record of living within the guidelines of its own official plan. If the amendments it is proposing are not accepted by the provincial government, then my hope is that the region will continue to honour its own official plan and will not allow the severances that are put before it to go beyond the local approval stage.

INTERGOVERNMENTAL RELATIONS

Mr Klopp: My question is to the Minister of Municipal Affairs. In August he announced at the AMO conference our government's commitment to disentanglement. The municipal politicians in Huron county welcomed that. As a past councillor, I know it is something we talked about with previous governments, to try to recognize that the provincial government and the local municipalities now deal with over 100 programs. This has to be cleaned up in order to save some dollars. The minister made that announcement. Could he tell me now what further commitments there are to show that this was not just idle talk but that we are really committed and taking action? What are we doing at this time?

Hon Mr Cooke: I think one of the most important initiatives of this government is the whole issue of disentanglement. The people in this province want to know which level of government is responsible for what and pays for what so they can hold us all accountable and understand the process of government and see that we are providing government services in the province in an efficient way and are spending the taxpayers' money wisely.

Since the committee representing the Association of Municipalities of Ontario and the province of Ontario was announced a couple of months ago at the AMO convention, we have been in the process of establishing the secretariat and doing some of the impact studies within the ministry. As soon as the municipal elections are over, it is our intention, along with the Association of Municipalities of Ontario, to get on with the discussions and the implementation of disentanglement.

RESIGNATION OF COMMITTEE MEMBERS

Mr Bradley: I have a question for the Premier. I was very interested in the carefully worded clarification by the Premier on the issue of the OPP raids on opposition offices. I am going to return to that issue again, but today I am interested in the way the Premier treats my Niagara colleagues.

Yesterday the Premier denied that he had fired the member for Lincoln as the Chairman of the standing committee on finance and economic affairs for voting for his constituents rather than the government on a money bill in this House. That was the tobacco tax bill. I am looking at the committee list. If the Premier did not fire him as Chairman of that committee, then why is he no longer Chairman of that committee today?

Hon Mr Rae: I do not appoint or fire people on committees, chairmen or otherwise.

1450

Mrs Sullivan: Watch his nose.

The Speaker: Order. The member for Halton Centre, while perhaps in a good mood, should also know that comments should be made only from where her rightful place is. The member for St Catharines is patiently waiting to place his supplementary.

Mr Bradley: Thank you very much, Mr Speaker. After the member for Lincoln voted against a bill he believed would hurt his constituents, the Premier gave the member his walking papers and cut his pay by over \$9,000. After the member for Welland-Thorold revealed that this government had betrayed those who voted for the NDP on the Sunday shopping issue, he was chopped from the standing committee on administration of justice.

Everyone in this House knows that the Premier and his ever-expanding personal staff call all the shots in this particular regime. What message do these two dismissals send to members of his caucus who wish to be treated as something other than subservient zombies?

Hon Mr Rae: That is an absurd comment from the member for St Catharines.

Interjections.

The Speaker: I certainly appreciate the relaxed atmosphere.

SUMMERHILL PRESS

Mrs Marland: My question is for the Minister of Culture and Communications. The minister will be familiar with the lingering problems following the decision of the Ontario Development Corp and the Ministry of Culture and Communications to give a \$400,000 loan guarantee to a failing company, Summerhill Press. ODC was left with the responsibility for Summerhill's debts but managed to sell its assets to Breakwater Press.

Several authors are still owed royalties by Summerhill. While some authors may eventually have their royalties paid, the general manager of the new firm, Wayne Gilpin, has told one author that any other indebtedness to him prior to August 9, 1991, is the responsibility of the Ontario Development Corp, which took over the liabilities of Summerhill Press. This author is owed \$29,000.

Given the Ontario Development Corp's apparent responsibility for the debts of Summerhill Press, does this government not feel an obligation to these authors who are owed in total about \$60,000? Does the government intend to pay their royalties?

Hon Mrs Haslam: I must admit to the member that I am not totally up on all of that information but I will be glad to find out and return the information to her.

Mrs Marland: It is a very significant subject. I expected that the minister had been in the portfolio long enough that she would have been apprised of this very serious situation.

Another issue in the Summerhill sale is the authors' publishing rights. ODC sold their rights, like the rest of the firm's assets, to Breakwater. It seems very wrong for ODC to act without permission as an agent for Summerhill's authors. At least one author wants to change publishers; however, the purchaser will not release this author's rights even though it refuses to pay the royalties owed to him. The problems arising from Summerhill's sale point to the urgent need for reform, such as a requirement that publishers who are applying for a provincial loan must guarantee that authors' royalties are being honoured.

First, will the minister ask for a full investigation of the role played by her ministry and the Ontario Development Corp in the sale of Summerhill Press? Second, when will she introduce the reforms which the manager of the new Ontario Publishing Centre, Sherrill Cheda, promised seven weeks ago would be ready soon?

Hon Mrs Haslam: I am well aware that the writers are concerned about their royalties. As a matter of fact, when I announced the \$5 million for the Ontario Publishing Centre, I did speak with writers at that time. However, with regard to the Ontario Development Corp, I do not have all the information on that particular issue.

When the member talks about the publishing industry, we all know two very important publishing firms went under recently, just when I came into the ministry. That is why I was very pleased to announce the \$5 million.

We are looking at it. We have the papers out to both the French and English publishing firms. We have asked for input. The date is October 31. We have extended that deadline so that they can get back to us with their input on those criteria. We do hope to have the money flowing before Christmas, which is what I announced in August.

PLANT CLOSURE

Mr Farnan: My question is to the Minister of Labour and concerns dislocated Cambridge workers. The owners of Kanmet Foundries in Cambridge walked away from Cambridge Casting Centre. The workers were left without severance pay, pay in lieu of notice or statutory holiday pay. In addition, credit union money and union dues were never credited to the respective accounts. To add insult to injury, the company also failed to pay the Green Shield benefits, resulting in out-of-pocket medical expenses to the workers.

What is the status of the investigation into the wages owing those affected workers of Kanmet Foundries and why has a claim placed before the Ontario Labour Relations Board as far back as June 14 gone virtually unheeded?

Hon Mr Mackenzie: The question is a very good. One of the beauties of now having Bill 70 in place is that

the workers are entitled to up to \$5,000 for the severance, termination, anything that is owed in that plan.

Some of the other concerns the member has expressed are currently with the legal department in my ministry. We also have the authority, as I think the member knows, to take action, if necessary, in terms of the company and the directors of the company.

Mr Farnan: My constituents are justifiably upset. They are aware that the Burgess family, which claimed recently that it was ceasing all operations in the province, still has a corporate office in Sudbury, still owns the Sudbury Wolves of the Ontario Hockey League, still operates a warehouse plant—Saubra of Brampton—still has employees onsite at the Cambridge plant and still has traffic accessing the Cambridge plant every day as recently as today.

Why is this allowed to happen? Why is it allowed to carry on? This is especially disconcerting when this company appears to be in direct violation of the Employment Standards Act and a collective agreement. It is not taxpayers' money to pay these workers that we want; we want the company to pay the workers the money that is their due.

Hon Mr Mackenzie: I tell the member once again that this is exactly why this issue will be in the hands of our legal branch. We are aware of the responsibility and the authority we now have with the new legislation.

CONSUMER PROTECTION

Mr Phillips: My question is for the Minister of Consumer and Commercial Relations. It flows from an answer she gave last week to one of the NDP members about making certain that when you look at contracts, you read the fine print.

A fairly large group of my constituents feel they have been defrauded and would like to know what recourse they can get through this ministry. Several months ago, after seeing an advertised offer, they agreed to a contract with a whole list of things to be done. They bought the program. Now it is several months afterwards and virtually none of what my constituents who bought this program thought was going to be delivered has been delivered. What recourse do they have through her ministry to go after someone who advertised a whole list of things and then, once the sale was made, delivered on virtually none of them? Of what assistance can the minister be to those people?

Hon Ms Churley: I suggest the member get the particulars of the case to me and my ministry and I can look into the specific case. I know we are getting a tremendous amount of these kinds of situations. I think all of us in the House are concerned about it. If he will get the information to me, I will have it looked into and get back to him.

Just on the contract, at the risk of making everybody laugh again, I am glad the honourable member raised it again, because quite often people do not read the fine print and do not see the particulars. They end up signing things and getting stung afterwards.

I thank the member for raising it and I will look into it for him.

1500

Mr Phillips: Luckily I brought the contract along today and I plan to send it over. It is the Agenda for People. I have actually been through it and there is no fine print in it. It is all very clear. I wonder if one of the pages might deliver that. I appreciate the offer of help and I certainly will await advice from the minister on what sort of prosecution or legal action she might take to ensure that my constituents have redress done.

Hon Ms Churley: I would like to thank the member for the contract. I have to ask, I wonder if there are any contracts from members opposite that we can have a look at, read the fine print and see what happens. Just let me add again that as members know, we are soon going to be introducing the new consumer code and it will be improved. I am sure everybody in the House looks forward to the introduction of that new code. Some of these problems will be solved, but I will look into the member's case for him.

RESIGNATION OF COMMITTEE MEMBERS

Mr Sterling: I have a question for the Minister of Municipal Affairs and government House leader. Did he or his staff ask or suggest to the member for Lincoln that he resign as Chairman of the standing committee on finance and economic affairs?

Hon Mr Cooke: No.

Mr Sterling: Does the government House leader know if anyone else has suggested to the member for Lincoln that he resign? If so, who did?

Hon Mr Cooke: I think the member, of all the people in the Legislature, knows there is a process within every caucus that if there is to be any discussion at all about whether members of caucus are going to follow caucus discipline or not, it is a decision that is made within each caucus by the chief government whip or by the chief whip for the opposition parties. That is the tradition in Parliament, it has always been the tradition and it is a tradition I respect.

HUNTING AND FISHING IN ALGONQUIN PARK

Mr Drainville: The constituents of Victoria-Haliburton are rather concerned about a pamphlet that was released about a week ago. It has to do with Algonquin Park. In this pamphlet there are specific allegations made about decisions the government has made. I would like to ask the Minister of Natural Resources if he could respond in this House as regards the inflammatory and I believe inaccurate picture that is set forth.

For instance, it says in this pamphlet that all-terrain vehicles, snowmobiles and trucks will have unlimited access to the park. On top of that, it also says there will be unlimited hunting and fishing in Algonquin Park. I know, as I have sat in the House and heard responses from the government, that this is not the case, but I think it needs to be cleared up for the people of Victoria-Haliburton.

Hon Mr Wildman: This is a very important issue. The pamphlet—I have a copy of it—by the Ad Hoc Committee, RR 1, Dwight, Ontario, says in it, as the member has indicated, that there is unlimited recreational hunting

and fishing and unlimited access by trucks, ATVs and snowmobiles for the Algonquins of Golden Lake in Algonquin Provincial Park. Mr Speaker, you will know, as will all members of the House, that the interim agreement with regard to hunting that was signed by the government and the Algonquins specifically gives limits to the number of deer and moose that can be hunted and taken throughout the land claim area in eastern Ontario. It also specifically limits the ancillary hunt.

Mr J. Wilson: What is the enforcement provision?

Hon Mr Wildman: If the member will allow me, I will respond to that. Perhaps he would just remain silent so I can complete what I am saying.

The Speaker: Order.

Hon Mr Wildman: The ancillary hunt says specifically that rare, endangered and threatened species will not be taken, that wolves will not be taken, that loons will not be taken. It sets out a period of the season when hunting will be allowed, sets out specific areas where hunting will be allowed and it specifically limits and prohibits the use of motorized ATVs and snow machines for hunting.

RETAIL STORE HOURS

Mrs Caplan: I have a question of serious public policy for the Premier. In the province today, on Sunday as well as every other day, people can rent and buy videos that span the whole range of entertainment and they can buy books of all kinds to read, but they cannot buy Brahms or Beethoven or an educational record. I would ask if he thinks it is consistent that you can rent a video to see and buy a book to read, but you cannot buy music, Brahms and Beethoven, to listen to.

Hon Mr Rae: I will refer that to the minister responsible for the legislation, which is now being discussed in committee; that is to say, the Solicitor General of Ontario, the member for Oshawa.

Hon Mr Pilkey: As the member can well appreciate, there are a number of exemptions under the existing legislation, which her own government brought in, Bill 113, and it did not include the use she now seeks at this late date. The government has no intention of expanding and enlarging the number of exemptions of product mixes that are in the market presently by way of exemptions for Sunday shopping. Our emphasis is with respect to a common pause day and worker protection, and is not to expand or dilute that circumstance.

Mrs Caplan: The reason I went to the Premier on this question of important public policy is that neither the Solicitor General's office nor the Attorney General's office—my constituent Mr Marty Herzog, who is the owner of a record store that sells Brahms and Beethoven, is now renting them over 15 years so that he can comply with the legislation. His concern is that he wants to be able to talk to somebody in this government. We have not asked the Solicitor General nor the Attorney General—we know they are very busy people—but we ask if their policy people would meet with Mr Herzog to discuss this important public policy issue. I wanted to appeal to the Premier to direct the policy people to meet with my constituent.

Since the Premier will not answer this question, will the Solicitor General at least direct his staff to meet with my constituent to discuss a matter of serious public policy as it relates to the ability of someone to be able to listen to music, as well as buy a book to read and rent a video to see? Will his policy people at least meet with him?

Hon Mr Pilkey: In response to the member for Oriole, the government went to many municipalities, I believe for the whole summer, receiving briefs both written and oral, and presentations. There was a full and exhaustive opportunity by the standing committee on administration of justice, including members of her own caucus who were a part of that committee, to hear those.

Mrs Caplan: So the answer is no, you won't meet with him. That is why I wanted to ask the Premier. Open government.

Hon Mr Pilkey: If this particular individual did not avail himself of that opportunity, that is regrettable. However, I would indicate to the member opposite, who is hollering across the floor in a continuous fashion about open government, that I am prepared to accede to her request and have a member of my staff meet with the gentleman in question to hear his representation.

1510

RESIGNATION OF COMMITTEE MEMBERS

Mr Sterling: I have a question for the chief government whip, the member for Niagara South. Upon whose instruction did she remove the member for Lincoln as the Chairman of the standing committee on finance and economic affairs?

Hon Mrs Coppen: This is an internal problem within our own caucus. The member for Lincoln has said to the local news media back home that he admits to making a mistake, and because he felt it was an honourable thing to do, he resigned.

Interjections.

The Speaker: I ask the members of the House to come to order. This was just at a point where we were enjoying the greatest number of questions ever placed during question period. If members would come to order, then we could continue.

Mr Sterling: I believe a minister of the crown and the Premier and the governing party have to answer to the opposition about how they are running the government of Ontario and how they are running this Legislative Assembly. Did the government whip talk to the Premier on this matter and is she aware of conversations between the Premier and the member for Lincoln regarding his Chairmanship of this committee?

Interjections.

The Speaker: Just a minute. It appears that while a question was posed, the members of the opposition choose not to hear an answer. When the members have come to order, then there will be an opportunity to hear the response.

Hon Mrs Coppen: If I am not mistaken, a tradition of Parliament is that an internal problem within caucus is to remain with the caucus.

PETITIONS

CLOSING OF TREE NURSERIES

Mr Miclash: Mr Speaker, as you will know, I have been quite concerned about the closing of part of the Dryden tree nursery, and today I present a petition to the Legislature of Ontario which reads:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We oppose the proposed closure of the bare root section of the Dryden tree nursery due to the loss of substantial employment, the Dryden tree nursery purchase of materials and services, income dollars spent locally and the MNR local presence in Dryden."

This petition is signed by 2,128 people from a town of 6,000 people, and I too attach my signature to it.

OATH OF ALLEGIANCE

Mr J. Wilson: I have the pleasure to present a petition to the Legislature of Ontario that reads as follows:

"Whereas the Queen of Canada has long been a symbol of national unity for Canadians from all walks of life and from all ethnic backgrounds; and

"Whereas the people of Canada are currently facing a constitutional crisis which could potentially result in the breakup of the federation and are in need of unifying symbols;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to restore the oath to the Queen for Ontario's police officers."

That is signed by a number of good people from the town of Stayner in my riding of Simcoe West, and I too have affixed my name to this petition.

INTRODUCTION OF BILLS

CONSTITUTIONAL AMENDMENT REFERENDUM ACT, 1991

LOI DE 1991 SUR LA TENUE DE RÉFÉRENDUMS SUR LES MODIFICATIONS CONSTITUTIONNELLES

Mr Beer moved first reading of Bill 145, An Act requiring Referendums on Constitutional Amendments.

M. Beer propose la première lecture du projet de loi 145, Loi exigeant la tenue de référendums sur les modifications constitutionnelles.

Motion agreed to.

La motion est adoptée.

Mr Beer: The purpose of the bill is to ensure that the people of Ontario have an opportunity to express their views on any proposal for constitutional amendment. Before a resolution authorizing a constitutional amendment is adopted, a province-wide referendum is required and a report setting out the results of the referendum must be tabled in the House.

CITY OF HAMILTON ACT, 1991

Mr Christopherson moved first reading of Bill Pr53, An Act respecting the City of Hamilton.

Motion agreed to.

TOWN OF WHITCHURCH-STOUFFVILLE ACT, 1991

Mr O'Connor moved first reading of Bill Pr81, An Act respecting the Town of Whitchurch-Stouffville.

Motion agreed to.

COURTS OF JUSTICE AMENDMENT ACT
(PAYMENTS TO SUPERNUMERARY JUDGES), 1991LOI DE 1991 MODIFIANT LA LOI
SUR LES TRIBUNAUX JUDICIAIRES
(RÉMUNERATION DES JUGES SURNUMÉRAIRES)

Mr Hampton moved first reading of Bill 146, An Act to amend the Courts of Justice Act, 1984 in respect of Payments to Supernumerary Judges.

M. Hampton propose la première lecture du projet de loi 146, Loi modifiant la Loi de 1984 sur les tribunaux judiciaires en ce qui concerne la rémunération des juges surnuméraires.

Motion agreed to.

La motion est adoptée.

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Hon Mr Hampton: This bill will withdraw the provincial government's payment of \$3,000 annually to each of the judges presiding in the Ontario Court (General Division) and the Court of Appeal as of the date they choose supernumerary status. A supernumerary judge is one who has reached retirement age but chooses not to retire and continues to work part-time. Judges of the General Division and Court of Appeal are appointed and paid a salary by the federal government. When they go supernumerary, they retain their full federal status.

The \$3,000 provincial payment to federal judges is now an anachronism representing compensation for services they are no longer called upon to perform such as persona designata, jurisdiction and membership on provincial boards and commissions. Only two other provinces continue to pay their judges this sum. Because we did not wish to alter unilaterally the conditions of employment of judges, we have chosen to discontinue this payment only when a judge chooses to go supernumerary. If a judge continues on full-time service until mandatory retirement at age 75, the payment will continue until retirement.

ORDERS OF THE DAY

FUEL TAX AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT LA LOI DE LA TAXE
SUR LES CARBURANTS

Mr Johnson moved, on behalf of Mrs Wark-Martyn, second reading of Bill 85, An Act to amend the Fuel Tax Act, 1981.

M. Johnson propose, au nom de M^{me} Wark-Martyn, la deuxième lecture du projet de loi 85, Loi portant modification de la Loi de 1981 de la taxe sur les carburants.

Mr Johnson: This bill, An Act to amend the Fuel Tax Act, will implement tax changes contained in the Treasurer's budget of April 19, 1991. In addition, the bill is intended to counter unlawful sales of taxable motor fuels. Millions of dollars of revenue are lost annually because importers bring untaxed fuel into Ontario without declaring it for

tax purposes or because of those who export untaxed fuel out of the province and then reimport it or divert it for sale to retailers in Ontario.

The amendments specify the responsibilities of collectors, importers, wholesalers and retailers to collect fuel tax. Importers, who will have to be registered, will not be required to pay tax at the Canadian border but will be required to pay the taxes upon filing their returns. This gives us greater assurance of compliance due to the bond the importer must put up to be registered. At the present time, importers who are not collectors are required to pay the tax at the border on fuel to be used in Ontario. Exporters will also need a registration certificate and will have to account for all exported fuels.

The proposed amendments will allow the detaining of vehicles to ensure that transporters and carriers are complying with the act. If a transporter or carrier fails to comply, fuel could be seized and disposed of to make certain it does not re-enter the market. The proposed amendments will increase penalties and fines for violation of the act.

In 1989, the standing committee on public accounts recommended registration and bonding of importers and exporters of diesel fuel as well as increased fines and penalties for violations of the act. I am pleased to be able to bring these measures before the Legislature today.

An information exchange on fuel tax issues among provincial, federal and state governments will complement existing anti-evasion measures and federal collection of Ontario fuel tax at border crossings. This exchange means that operator and vehicle information held by non-tax authorities such as the Ministry of Transportation will be available for registering fuel transporters.

There are also provisions in the legislation which will make it easier for a wholesaler/dealer to apply to be a collector of fuel. Previously, to be collectors, wholesalers/dealers were required to own or operate a terminal facility and to colour middle distillate fuel. By eliminating these conditions, collector status will now be available to those whose sales of middle distillate fuel are usually at wholesale level.

Improving the fuel tax compliance system by more strict regulation and penalties for non-compliance will increase provincial revenues and the Ontario taxpayer will benefit. In accordance with the Treasurer's budget, the tax on clear fuel will increase in this legislation. The proposed legislation amendments in Bill 85 are important measures in the fuels distribution network by the elimination of unfair and unlawful competition.

Mrs Y. O'Neill: I am pleased to rise today to speak to the second reading of Bill 85, the Fuel Tax Amendment Act, 1991. In his April 29 budget, the Treasurer announced a number of increases in fuel tax; I reiterate, increases in fuel tax. Increases on the tax of gas for automobiles and aviation fuels are covered in amendments to the Gasoline Tax Act, which we will likely deal with next week. Taxes on diesel fuel for trucks, trains, boats and other vehicles are covered in amendments to the Fuel Tax Amendment Act, which we are now dealing with this afternoon.

Bill 85 implements further tax increases. The new diesel fuel tax increases introduced in Bill 85 will raise over

\$90 million in new revenue annually. This represents an over 30% total increase. I repeat, a 30% total increase in fuel taxes for both railway locomotive and other diesel fuels initiated by a government that is interested in building bridges with business; I repeat, building bridges with business. Those two facts do not seem to go together.

The budget raised the general diesel fuel tax by 1.7 cents per litre to 12.6 cents per litre and raised the tax on diesel fuel used by railway locomotives by 0.55 cents per litre to 3.95 cents per litre, effective April 30, 1991. A further increase of the same magnitude will come into effect January 1, 1992, against much informed advice, I may say, increasing this diesel fuel tax rate to 14.3 cents per litre and the railway locomotive diesel fuel rate to 4.5 cents per litre.

These changes will make Ontario's new general tax rate the second highest in Canada. I repeat, these changes will make Ontario's new general tax rate the second highest in Canada. Is this a policy and program that will keep Ontario's industry productive and competitive? The Premier stated that his goals are productivity and competitiveness as late as September 23, 1991, right here in this very House.

I ask sincerely, is this government really going to strike another blow at an industry that is suffering, strike another blow at the transport industry, which is already in serious decline?

With this move to increase diesel fuel taxes, the NDP government again finds itself in a catch-22 situation, an anti-business situation in this case. Its mismanagement of the economy leads to unemployment and then plant closures and bankruptcies, thus lowering government revenues. To counter this loss of revenues it tries to raise more revenues by increasing taxes. This in turn forces more businesses to close, increases unemployment and leaves the government with a further revenue shortfall or overexpenditure; a nicer word, overexpenditure. This is a vicious circle of higher taxes leading to higher taxes and the ultimate victims of this policy are the Ontario business community, the Ontario workforce, and indeed each and every Ontarian.

1530

At a time when existing railway lines are closing—we all have very personal experience of that—and the NDP government is busy jumping on the bandwagon to make automobiles environmental public enemy number one by continuing to implement higher and higher taxes on gasoline, thus attempting to change people's behaviour, how can this government justify further disincentives to the railway industry, already struggling to provide cheaper environmentally friendly intercity transportation, in a province where this service is much needed and wanted by those people who rely on the trains to take them to visit family and friends in the distant corners of Ontario, and often daily to take them to their places of employment and business activity? This tax increase will no doubt have a negative impact on the price and availability of railway travel in Ontario.

Harder hit by these increases than even the railway industry, however, and by Bill 86 in particular, are

Ontario's truckers who are already feeling the pressure of increased US competition. Earlier this month, this government's own report confirmed that Ontario's trucking industry is at a competitive disadvantage with respect to its US competition. What is the response of the Treasurer and this government to this information? It is Bill 85, the Fuel Tax Amendment Act.

The Treasurer is not even going to reconsider, and he has repeated day after day in this House he will not reconsider, anything in budget 1991 that would help the competitiveness of the trucking industry by giving a trucker a break on gasoline taxes. He would rather blame the plight of the truckers on someone else. Day after day, week after week, month after month, we hear the chorus: "It's not our fault. We're doing the best we can. It's a very complex issue."

Each of us in this House knows trucking company after trucking company that is examining its future in our province. Unfortunately many and some with over 50 years of service in Ontario have already sold out. They come to the members and to me with deep regrets because they did not want to fold the family business.

Many trucking companies have driven their last mile in this province. I find that a very sad situation and I have very little to say to the people who come to me, when this government will not listen to their requests day after day to show them a symbol that they are willing to help, a very small symbol, by not implementing the second half of budget 1991 with the 1.7-cents-per-litre increase in fuel tax.

Trucking is a \$5-billion industry in Ontario. For every trucker on the road in Ontario there are many other workers employed to service and repair the trucks, to load the trailers and to manufacture, sell and maintain those trucks, trailers and related parts and equipment. Members and I likely know people in that industry.

The Ontario Trucking Association estimates there are over 228,000 workers directly employed in the industry in Ontario, and that does not give any indication of indirect employment. The direct employment then is 5% of the provincial labour force. These are the jobs this government is jeopardizing with its tax policies.

Truck transportation is responsible for over 70% of our trade with the United States and anybody who has driven our highways knows that. This is an industry that must be given the tools possible to be able to compete in an international marketplace. The diesel fuel tax increases introduced in the 1991 Ontario budget can cost truckers \$15 in additional tax every time they fill up their tanks. That is not an insignificant amount out of anyone's pocketbook.

The new diesel tax outlined in Bill 85 will cost independent truckers at least \$4,000 a year in new taxes; I repeat, \$4,000 a year in new taxes. Is this one of the Premier's and the NDP government's policies and programs to keep Ontario productive and competitive, to keep the trucking industry productive and competitive in the North American market?

When the truckers first came protesting to Queen's Park in early April, before the budget, the NDP promised to help them become more competitive. Later that same month, when the budget was introduced, the truckers brought their

protest back to Queen's Park in great disappointment. We all remember what went on on Highway 401 at that time.

One of those truckers was Vernon Erb of Erb Transport. Mr Erb was unhappy about the gas tax increases introduced in the NDP budget. In an interview during the truckers' blockade, he put it squarely on the NDP's shoulders. He said, "I was surprised because the Ontario Trucking Association has been trying to get relief from taxes so we can be more competitive." Is that not a very worthy goal? But he asks whether this is the kind of result they can expect after pre-budget consultation, which they engaged in, which the Premier of this province encouraged them to do, and year after year, here they are, not being listened to.

The trucking industry is looking for specific help from Queen's Park. They engaged in the pre-consultation and they are not being listened to. They are asking again to be listened to in the second stage of the implementation of this tax; no response. They want to improve their competitiveness, but to do that they must have fuel tax cuts and sales tax exemptions.

The NDP government seems to have forgotten that it has been in office over a year now. They hold the responsibility of government. They hold the responsibility to help the trucking industry in this province compete. Yet again the NDP government has blamed every other government in North America, whether it be in Ottawa or Washington, for the problems of the trucking industry. Day after day we hear this. But it must be remembered that it was the NDP government in this province that introduced a 30% increase in the diesel fuel tax in this Bill 85, totalling 3.4 cents per litre. This is entirely a made-in-Ontario tax. This is entirely a made-at-Queen's-Park tax against an industry that is really hanging on by its fingernails.

During the truckers' blockade, the Treasurer was quoted acknowledging that the industry wants the diesel tax put on hold. He actually heard people say, "Put the diesel tax on hold." So the Treasurer has admitted that this was a made-by-the-NDP crisis. He heard but he did not listen. Rather than putting this fuel tax on hold, this government is going to increase this tax. That is hard to believe: a two-stage increase on an industry that is but barely hanging on. This tax on fuel, which will become even higher in January, will make Ontario's fuel tax the second-highest in Canada; I repeat, the second-highest in Canada. Is this going to make Ontario productive and competitive? Are these the policies the Premier feels will make this province productive and competitive? It is certainly not what we are hearing from the trucking industry, those of us who are speaking to them.

1540

I ask if the Minister of Revenue can deny in this House that the \$4,000 in new diesel tax cost facing individual truckers this year—that figure is a minimum estimation—that this really strenuous load is going to be a direct result of this government's policies? Can she deny that this \$4,000 burden on individual truckers—I am not talking about major corporations; I am talking about individual truckers; I am talking about family businesses—cannot help but negatively impact our trucking industry?

In preparation for these damaging tax measures, I ask the Minister of Revenue, did she conduct any impact studies? Did she talk to truckers? Did she explain those impact studies to them? Were any studies conducted to discover just how much damage these diesel fuel tax increases would inflict on the trucking industry in Ontario?

If she did, can the minister share with the House the information she has that will tell us how many more small and large trucking firms can be expected to go bankrupt because of these tax increases? She knows and I know and every member of this House knows that this second stage of the implementation in January 1992 is going to be the breaking point for yet more truckers in this province.

I ask the minister: What new measures has this government or has her ministry initiated to offset the impact of the diesel tax increase? At first blush and certainly as of today I know of none. That too is less than encouraging.

If the minister examines these questions—I hope she will because these are questions I am being asked as I travel in the province and certainly in my own riding—she will see a clear picture that this government is a government of inaction, a government that talked a good talk in August 1990 when it promised the world to everyone in Ontario, a government which after more than a year can boast an incredible string of broken promises, as we heard in the House today. The sad part is that many of these broken promises are fiscally irresponsible policies that are going to take ages and ages to turn around.

This NDP government, which hands only further punishment to sector after sector of Ontario's economy at the worst possible time and for reasons which it does not seem worried about clearing up or explaining, continues to place hardship on industries, one of which I mentioned this afternoon.

Bill 85 is another nail in the coffin of Ontario's transportation industry, and with that unhappy note, I close.

Mr Johnson: I listened with interest to the member for Ottawa-Rideau and I think she made some attacks on our government and on this bill that quite frankly I find unjustified. I would like to remind her that when she was in government and when her government was raising taxes in Ontario, for example, it raised the tobacco tax by 222%, it raised the tax on cigarettes by 80% but, even more important, it raised the gasoline tax by 40%. Today the member stands in the House and tells us she is concerned about our increases. As a member of the government, I remind her, and I am sure she is aware, that we have choices to make. One of the choices we made with respect to revenue was to increase this tax somewhat.

How this will affect the trucking industry I think has not been mentioned correctly either. Those truckers from the United States who run through Ontario pay prorated taxes on their fuel, so they contribute by making their payments to the Treasury of Ontario by remitting their taxes. I think that is an important factor we do not want to forget. As the number of truckers from the United States increases, or if the amount of business from the United States increases, that in fact will bring in more revenues as they pay their prorated taxes to Ontario.

Mr Sola: I commend the member for Ottawa-Rideau on a well-prepared speech. I would like to emphasize what she said: that tax increases on diesel fuel will amount to 30% this year, with an added increase in January 1992, and that despite the Premier's goals of being productive and competitive, this does the opposite. It makes us unproductive and not competitive. Some \$4,000 a year in new taxes is hard to take, even when things are on a roll.

For instance, the member for Prince Edward-Lennox-South Hastings complains about the fact that when the Liberals were in power, they raised taxes, but he must take the situation of the economy into consideration. At that time the economy was expanding. Things were on a roll. Companies were making money and could afford to pay more. That does not justify increasing taxes. The argument put forward is very hard to take.

For instance, we have had three parties in power here in the last seven years. The analogy would be that if you are loading a beast of burden and the Conservatives put on a certain part of the load and say, "That's bearable," then along come the Liberals, who put on more and say, "That's bearable," and now along comes the NDP, who say, "We have to put on as much as the Conservatives did seven years ago and as much as the Liberals did five years ago." The animal can only bear a certain burden. I think the burden this NDP government has placed on the competitive members of our economy is such that they will be broke and will either have to move out of the province or go bankrupt.

Mr Ruprecht: I too want to congratulate my colleague the member for Ottawa-Rideau for a fine presentation. What she has done is to specifically outline the problems the trucking industry is faced with. The major point I gather from the remarks is obvious: that this NDP government is not producing the kinds of legislation that will help the trucking industry. The increases in taxes can only be borne so much until the beast, as my colleague the member for Mississauga East says, goes broke.

To my colleague the member for Prince Edward-Lennox-South Hastings, who says it was the Liberals and previously the Conservatives who added the tax burden to our truckers, that might be the case, but he should remember one thing: He wanted to be in the seat of government. He wanted to make sure the NDP got to be on the levers of power to ensure it would make right Ontario, and whatever the opposition had done was obviously bad.

They have that opportunity now. They have total control of the budget of this province and, I might add, total control over what happens to the truckers. They cannot simply go and superimpose their ideological glasses on the trucking industry. What do they expect them to do when they go broke? It is obvious: They have to come to Queen's Park. They have to demonstrate. They have to strike. They have to get their wives, daughters and children over here and talk to the government because it has in its possession the key for the success or failure of this industry.

1550

The Deputy Speaker: Any further questions or comments? If not, the member for Ottawa-Rideau, you have two minutes.

Mrs Y. O'Neill: I find it passing strange that the only defence of this tax and this bill is that when we Liberals were in government, we passed such a bill. This NDP government was to be different. Indeed, times have changed. I used to sit in the pre-budget consultations with the present Treasurer and listen to how he said, "Oh, we must listen to this group, this group or this group," and then we would come back into this House and he would say, "You haven't listened." Now he is Treasurer, and as my colleague the member for Parkdale has just said, "Things could be different."

This time these truckers came before and after the 1991 budget. They think they have a double chance because it is a double-implementation period, but they have not been listened to. I thought there would be some response to my request, "Have there been any impact studies?" because we know times have changed. We know there is deregulation. We know there is free trade. We know cross-border shopping has picked up. The excuse I am given is, "Well, you did it in government so we're going to do it because it's a nice, comfortable source of revenue."

Companies are going out of business because they cannot pay taxes, so how are we going to increase revenues if we do not have the companies there as the base? Truckers are begging. Family businesses are failing. I have heard from them on an almost daily basis, and certainly on a weekly basis, and find it more than passing strange that no reference to that is made.

"This is just efficiency. We're going to have more revenue, folks, and it is doesn't matter where it comes from."

Mr Turnbull: This is an extremely important measure the government is taking in the sense that it has the potential for pushing truckers who are already on the verge of bankruptcy over the brink. We know the trucking industry is in serious difficulty. Indeed the Ministry of Transportation issued its own report just four weeks ago which concluded: "The Ontario truckers are at a competitive disadvantage to their US counterparts. Costs of repair, maintenance, fuel and overhead are lower in the United States."

I fail to see how the government is reacting to the problems of this industry. Indeed we know the industry is reeling from the effects of deregulation and recession. As the recession rolls along and we have less and less jobs in Ontario and less and less product is manufactured, there is less and less need for trucks to transport it. Indeed, we have excess capacity.

I fail to see how the government addresses the problem of bankruptcies, which were up by 156% in 1990 over 1989, and up by 74% in the first five months of 1991 over the same period in 1990, with this kind of measure.

As has previously been mentioned, there was extensive pre-budget consultation with the Treasurer, who was told very clearly by members of the Ontario Trucking Association

that they could not afford the taxes they were paying then and that indeed they needed relief. This tax represents a 1% increase in diesel fuel, which is a substantial increase by anybody's measure.

One of the comments made about the previous speaker was the fact that the Liberals had raised taxes by some 100% during the time they were in office. I point out that the Liberals got thrown out. Indeed, we said many times in the last election that the Liberals had never met a tax they did not like. It seems incongruous that the government of the day is now reacting to comments by the Liberal Party and saying, "Well, you raised taxes." That is not the solution. The trouble we have in this province, and to a certain extent in this country, is that everybody wants to point at somebody else as being the cause of the difficulties we are having.

Fuel costs represent some 30% of the cost of operating. When the government starts increasing fuel taxes by 31%, given the fact that 30% of its total operating costs is fuel, that has a profound effect. These companies are already in a squeeze. There is overcapacity and there is a real crisis. During the roll-out of these measures the Treasurer had the audacity to suggest this was to encourage the purchase of more fuel-efficient vehicles. That is a laudable goal, but I do not know how they will pay for more fuel-efficient vehicles if they have no money and no profits. In some cases it is not just that they have no profits; they are taking substantial losses. We have already seen two very major companies go bust in Ontario. We are not going to address the fundamental problems we have in Ontario by having US truckers and out-of-province truckers transporting our goods, and that is what the effect of this is going to be.

We are in a hypercompetitive industry, and we cannot increase prices to customers. One of the problems the truckers have is with load brokers. They say, "They're bidding down our prices." That is because there is overcapacity. It is not easy to solve that problem, but the quickest fix is to at least back off on this fuel price hike.

I do not know how this government can possibly spend hundreds of millions of dollars on bailouts of Algoma and de Havilland and yet for a relatively small amount of money—it is still a big chunk of dough, but compared with the other bailouts it is small—it is just simply going to roll ahead with more taxes. On the one hand, the members opposite complain about the previous government that left the mess it is in. I have a lot of sympathy for the situation they inherited, but nevertheless we cannot fix the problems we are in now by forcing more people into bankruptcy.

Indeed the collection of fuel taxes from US truckers who come here loaded up with US fuel is a good move, but we have to have more enforcement. The government could probably get a fairly large amount of extra income if it were to have more auditors and more enforcement in the US. We have two man-years of enforcement in the US auditing and collecting those taxes that we are not getting.

Mr Mills: Get more civil servants.

Mr Turnbull: My friend the member for Durham East across the floor suggests more civil servants. This can

be one of the few times that you can get civil servants to pay their own way. In fact, I would have no opposition to putting them strictly on commission, "You collect the money, you keep a percentage of it."

1600

Mr Mills: Tax collector by commission is disgusting.

Mr Turnbull: This is the problem. A member from the NDP laughs at the idea of efficient government. They simply do not understand the fact that we have to make Ontario more competitive.

The ability to pay for more fuel-efficient vehicles, as I said before, is indeed impaired by this massive increase in taxes. In the study that was issued by the Ministry of Transportation, the minister said, "Ontario-based truckers face enormous challenges due to deregulation, the recession and increased competition from the larger American carriers." He went on to say, "This government is committed"—members should please pay attention to this because this is the important point—"to assisting Ontario's transporter carriers in responding to the changing markets and increasing competition." This is a hell of a way of responding to them, by increasing their taxes.

David Bradley, the president of the Ontario Trucking Association, gave a quote in the Toronto Star in which he said, "This industry is still reeling from the first round of diesel fuel increases, and the thought of paying higher taxes in January is simply too much for many truckers."

I am absolutely flabbergasted that we are moving towards having the second-highest tax rate on fuel in the whole of Canada. By January 1, 1992, Ontario is going to share with Nova Scotia the very dubious distinction of having the second-highest fuel rate in the country. The only province which will have a higher fuel rate is Newfoundland, with 15.6 cents per litre.

The tax increases imposed by the bill are projected to raise an additional \$45 million this year and \$90 million in a full year. I would point out that this is substantially less than the cost of the bailout of Algoma or de Havilland. The interesting thing is that our friends across the floor always like to blame the federal government. They do not have that luxury, because the Canadian federal fuel taxes are less than the US federal fuel taxes. This is entirely an Ontario problem.

How is the Conservative Party reacting? My leader, the member for Nipissing, today announced a new program called New Directions: A Blueprint for Economic Renewal and Prosperity. Among the many recommendations are the following:

"Gasoline and fuel taxes should be immediately cut by 10%. This would benefit all sectors of the economy, including transportation, tourism and manufacturing. Combined with the reduction in the PST, these cuts would begin to address ongoing concerns and job losses associated with cross-border shopping.

"The full-year cost of a 10% gasoline tax cut would be approximately \$160 million. For fuel taxes, it would be \$37 million. Again, both costs are in the form of forgone revenues to the government and can be fully offset by new

revenues generated by economic activity, along with expenditure controls."

Expenditure controls are of course anathema to the New Democratic Party, the new socialist party of Ontario. They only understand spending, and now they have hit the brick wall. They cannot spend any more because they know the whole burden of the debt they are piling up is such that they are just going to back up the province. If they want to have a single member left in this Legislature next time, they are going to have to start fixing the problems now.

One of the problems is that they only relate to big unions that pay money into their coffers. They do not relate to anybody in independent business. But I should point out that there are many big unions involved in the trucking industry and they are suffering too, so that might be a reason for the government to think about cutting back on its taxes.

Mr Sola: I would like to congratulate the member for York Mills for pointing out several things, but I would like to touch a little bit on the finger-pointing he was mentioning and what one ordinary member of the Canadian and Ontario public thinks, as published in a letter to the editor of the Windsor Star on October 24 of this year. It is entitled, "Ontario Suffering More Than The Other Provinces." This relates to the finger-pointing among governments.

"Well into the second year of his mandate, Premier Bob Rae has revealed much about the character of his rule. I have a strong sense of *déjà vu*. I reference the big changes I was expecting to see in 1984 and thereafter in Ottawa. The parallels are remarkable."

Would you believe that Merv dePendleton from Windsor sees the similarity between Prime Minister Brian Mulroney and the Premier of this province?

Later on in the letter he says:

"Ottawa lately has had a penchant for raising taxes. Remember cigarettes and the GST? The Treasurer of Ontario has been emphatic that there will be no tax breaks to anyone, border town or special circumstances notwithstanding. The provincial taxes rise on schedule for tobacco and gasoline." And I may as well add, since we are talking about Bill 85, on diesel fuel.

Towards the end, Mr Merv dePendleton says:

"Ottawa is widely viewed as having savaged the economy. Yet it is Ontario where the damage is greatest, where people are actually leaving in large numbers. Why is the rest of Canada with all its disadvantages doing better?"

That is a question the NDP government should be taking into consideration and that is a question it will have to answer.

Mr Johnson: I again listened with interest to the member for York Mills and cannot say I entirely agree with all the comments he made.

With regard to the truckers, it certainly is a concern of all of us; I have no doubt about that. We are all concerned that truckers are at a disadvantage, or at least there is the impression that they are at a disadvantage, in this province. I just wanted to share with the member that there was a report commissioned by the Ministry of Transportation

which concluded that the main factors favouring US carriers are higher equipment utilization, lower unit costs for tractor-trailers and lower overhead costs. These of course are not directly related to taxes. Other material factors include repair, maintenance and cleaning costs and non-unionized-driver wages, which are higher in Ontario.

The question is asked, what are we doing for the truckers? The Treasurer is presently leading a review, prior to the 1992 budget, to see just what the problems are affecting the truckers. If additional measures are felt to be required, they will be announced by the Treasurer in due course. I might remind the member opposite as well that the Minister of Transportation did place a moratorium on trucking licences to the US—well, trucking licences in general—to make sure the problem does not get any worse. I think that is something that certainly has to be taken into consideration.

Another interesting fact is that American truckers have a better system of trucking just generally, I think, than we have here in Ontario, and they have an advantage as a result of that.

1610

Mr Ruprecht: I want to commend the member for York Mills for producing a very interesting report. I listened to him very closely. One thing he perhaps would like to mention later on is the string of broken promises this government has made. Somewhere along this road, there has to come a stop, when these promises are being adhered to.

I remember quite clearly what my colleague the member for Ottawa-Rideau said. I think what happened here is that the Premier apparently had indicated that there would be no fuel price hikes, and the next thing we know, there is not only a minor fuel price hike, but there are major fuel price hikes.

As the member for York Mills indicated, Ontario is the province with the second-highest fuel prices in the whole country. At what point, we ask, do we become the highest in terms of fuel prices? If we do, it is obvious that not only will we not be able to be competitive with any other province, but we will be totally uncompetitive with what happens in the United States.

I would say directly to the NDP government that it obviously has the power today to maintain a trucking industry which is viable and healthy, or to ensure that another industry goes belly up. It is totally in their hands. They have to make that kind of decision. They simply cannot add a fuel tax that is already costing the operators 30% of the cost of operating their businesses.

I want to thank the member for York Mills for having produced a fine report.

Mr Villeneuve: I too want to spend my two minutes, first of all, complimenting my colleague the member for York Mills for a very good presentation. I know his riding is not located in an area where cross-border shopping is of importance, but certainly mine is. It is very interesting to note that the number one attraction for people from Ontario going to the United States is the price of fuel. The price of fuel in the town of Massena, New York, is \$20 for an average fill-up of an average family-sized car. In

ornwall it is \$30. But a place between both New York
ate and Cornwall is the Indian Akwesasne Reserve,
here to fill up with gas is \$16 for the exact same number
litres.

Bill 85 will compound the problem of cross-border
opping even more. It will be even more of an attraction
r people from Ontario to go south of the border and fill
o their trucks and their cars with fuel. I was on Highway
01 about 18 months ago when the truckers had a block-
de at the Ontario-Quebec border. Several thousand truck-
s were stopped on Highway 401 and another several
ousand on Highway 417, both in my riding, a situation
at was caused by rising fuel costs. Bill 85 will compound
at even more.

I find it interesting that this government very often
ames the federal government. You know, Mr Speaker,
e GST replaced a manufacturers' sales tax. I want the
rmer Minister of Transportation to realize this: Truckers
et their GST back. They apply to the federal government
nd get their GST back. Why not set up a scale here where
n the first 50,000 kilometres, a trucker pays maybe full
rice, and then a reducing scale for the next 50,000 and the
ext 50,000 and the next 50,000? What would be wrong
ith that?

Mr Turnbull: I found it rather curious that the mem-
er for Prince Edward-Lennox-South Hastings would sug-
est there was an impression that there is a problem with
e trucking industry. If he would read the Ministry of
ransportation's own report, it is very clear that there is a
erious problem.

There are many reasons for it. Fuel tax is not the only
problem; we recognize that. But fuel tax allows us to do a
x at the moment so that more people do not go bankrupt.
erhaps it is the government's agenda that it wants people
o go bankrupt. It is true there is excess capacity. If that is
eir intent, they should be honest about it, but they should
ot bring in huge increases in the fuel tax at a time when
ey were told, before the budget, in the pre-budget con-
ultations, that they should not, that they should actually
ack off on fuel taxes; instead, they increase it twice.

The suggestion that the moratorium suggested by the
IDP government is going to fix the thing is absolute non-
sense. The whole problem we have is that socialists always
ink of regulation. Our leader has said many times that if
ey have anything that moves they tax it, and if it still
moves they regulate it, and if it does not move any more
en they subsidize it. That is their approach to business.
ey have to wake up. There is going to be nothing left of
e province if they keep on taxing. They should not keep
n pointing at other people taxing. They are wrong too. We
ave to reduce taxes.

The member for Parkdale commented on the broken
romises. On page 3 the House leader talks about, what
about the GST? The GST is rebated to truckers, unlike
eir tax.

The Deputy Speaker: The time has expired. Thank
ou.

Mr Mills: It is a pleasure for me to rise in this House
his afternoon and debate Bill 85, the Fuel Tax Amendment

Act, as it relates to diesel. First of all, I want to touch on
the tax increase and what I feel are some pertinent points
to make about that in relation to my experience as the
member for Durham East. As members probably know, in
the redistribution of seats, Durham East was cut up like a
dog's breakfast and it made me have several centres of im-
portance. I have a centre of importance in Port Perry, I have
one in Bowmanville and I have various other locations.

When I got elected, I thought: "What am I going to do
about this? How am I going to represent my constituents
out there to best of my dollar ability as per the regulations
we're allowed to run our constituencies by?" I decided that
I would better serve the people of Durham East by having
one central location with all my facilities and all my staff
in that location, with the benefit of an 800 number so that
people did not get into the problem of calling my office at
their own expense. In addition to that, I have taken it upon
myself to go out into the riding at different times during
the month and rent a church hall. That way I am helping
the church out with my \$35 to \$45 and I am also providing
a service to my constituents. It so happens that last week-
end I was at Manvers township on Friday afternoon or
Friday evening from 4 through until 8 o'clock talking to
the folks, and on Saturday I went to Port Perry and met the
folks there from 1 through to 4:30.

When you let your constituents know you are in the
riding, it is almost like going into a prize fight, because
you have no idea what they are going to come in with and
what they are going to talk about. On Saturday afternoon a
gentleman came in to see me. I had no idea what was on
his mind but I could see that he was a little bit agitated, to
say the least, so I tried to calm him down by shaking hands
and offering him a coffee or a soft drink. When he sat
down, I said to him, "How can I help you?"

Mr Turnbull: What's this got to do with the fuel tax?

Mr Mills: We are coming to that.

I said to him, "How can I help you?" He said, "I'm
concerned about the deficit. It's bothering me." So I said:
"It's bothering us all. What do you think we should do
about it?" He said, "I think we should cut taxes for a start."
I said, "Pardon me, but what do you do for a living?" He
said, "I must confess that I don't do anything."

Mr Sterling: He's probably a tax collector.

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Mr Mills: Give me a break.

He said, "I don't do anything, Mr Mills. I am on social
assistance." I said, "You come in here and you talk about
the deficit and you talk about reducing taxes. Do you not
realize the government I am a member of chose to support
the people who were up against it by increasing the deficit
so that we would be able to give you money to survive?"
He said, "I never thought about it that way," and I said,
"Those are the facts of life."

Mr J. Wilson: That's not the solution. It has been
tried and tried. That's what Trudeau did for 16 years and it
didn't work.

Mr Mills: Mr Speaker, I do not interrupt these mem-
bers and I would appreciate it if they did not interrupt me,
because I have a short—

Mr J. Wilson: Your memory is a little vague.

Mr Mills: I have a memory problem.

Interjections.

The Deputy Speaker: Order.

Mr Mills: We are going through this House. We are trying to raise up the level of manners and I do not think that sort of comment needs any rebuttal.

While we are talking about taxes and the self-righteous group across the road there, I always have to hit on their unique ad valorem tax which they did to diesel. They were not satisfied with the tax that was introduced at budget time. They socked it to the people every three months and added a little bit more and a little bit more. I was very amused to listen to the member for York Mills, who suggested that we return to the Roman times of tax collection and the Zachariahs et al era. That amazes me, that statement, coming from a party that claims to be Progressive Conservatives. They want to step back in a time warp to the Romans' way of harassing people so that they collect taxes on a commission. That form of collection of taxation is absolutely diabolical and unthinkable. We are in the 20th century now.

As I said last week when we debated tobacco, we live in a society that demands more and more of the elected officials in this Legislature. I do not know—

Interjections.

The Deputy Speaker: I think you all understand the procedure. We must let him express his opinions, and after that, if you want to comment, you will do so.

Mr Ruprecht: A point of privilege, Mr Speaker—

The Deputy Speaker: You know what a point of privilege is. I will listen to it.

Mr Ruprecht: That is why I want to raise it, Mr Speaker, and I certainly appreciate your comment. If the member for Durham East, who I have listened to with great interest, will promise not to point fingers across the—

The Deputy Speaker: Please take your seat. Thank you very much. That is a waste of time.

Mr Mills: I will continue, hopefully uninterrupted. What these interruptions do is that they disturb my train of thought and I do not like that. Anyway, I am going to finish up on the point of the tax increase, because as we all know here the demands on the people in this Legislature are enormous. Personally I do not know where we should turn to satisfy the demands made on government other than through some tax increases, which those folks really became quite expert at over the years when they were in government.

I want to turn now to an important point in Bill 85 which none of the other people have ever thought of making a comment about. That refers to the provisions designed in Bill 85 to reduce the evasion of tax. I know the evasion of tax is costing the people of Ontario not a couple of hundred dollars, not a few thousand dollars, but millions and millions of dollars, and that is a fact. We have all kinds of shenanigans going on. We have trailers that are supposed to be going to the United States full of diesel fuel.

They claim the tax back and in fact the fuel never went to the United States. We have fuel that is supposed to be coloured that can be purchased in Ontario tax-exempt, which is supposed to be used here, but in fact clear fuel is loaded up and that goes across to the United States and is purported to be coloured fuel.

The evasion of tax that has gone on over the last few years is an enormous problem in this province. I can speak with considerable experience of that issue. The schemes the so-called entrepreneurs come up with to avoid paying taxes are unbelievable. You seem to be able to close off one avenue of tax evasion and another one springs up. You seem to put this person out of business and he reappears the next week with another name. Numbered companies are all over the province, and they are costing and they have cost this province millions and millions and millions of dollars. I know that from my personal experience.

This bill is addressing that concern. It is such an important concern that is being addressed that none of the other members have even thought to speak about it. That is why I am bringing it up here. This new component of the bill goes a long way to prevent the evasion of tax.

I think this legislation we are operating under now—and I knew the member for Parkdale would perk right up, because I am going to point some fingers—is an absolute shambles. When those folks were in power, they knew that this tax was absolutely uncollectable. They knew that people were finding all kinds of loopholes in it and ripping off the province and the people of Ontario by millions, so they said to themselves: "What are we going to do about this? We've got a problem here. We've got a bill. We can't collect the tax."

I remember that lovely morning when I was assigned to fan out over the province and identify all the poor, little people who were selling propane. I said, "What am I doing this for?" They said: "It's going to be a surprise. We don't want to let you know yet, but we want you to go all over the province. We want you to identify the people who sell propane. We want their names and addresses, and we're going to tax propane."

I said, "My God, I can't believe this." We had been promoting vehicles as environmentally friendly, as the member for Ottawa-Rideau complained about the trains, and then Liberal legislation directed us to go out and raise a tax roll of people who sold propane.

I remember I went into this one place and the fellow was sitting on a chair. I said to him, "Hi, how are you?" He said: "I don't like uniformed inspection people. What do you want?" I said, "I'm here to talk about your propane." He said, "What about it?" I said, "We're going to tax it." He said, "What?" I said, "We're going to tax it." He said, "I've never heard anything so preposterous in my life."

Then I said to him, "Have you got a meter?" He said, "No, I haven't got a meter." So I said, "You're going to have to pay tax on everything you buy." He said: "Just a minute. Sit down. Go over this again." I went over it with him again and I said, "Are there any questions?" He said: "No, but I've got something to tell you. You get your backside out of here in 30 seconds or else I shall attack you."

This is their approach, how they solved the diesel fuel tax. They created a monster. They could not collect it; it was impossible. It was open to all kinds of scams. So they introduced it in their wonderful way of introducing a new tax: "If we started off fresh, perhaps we could collect it."

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Interjections.

Mr Mills: I bring that up in defence of the self-righteous attitude of people over there who think this government is some sort of hairy monster that is going to destroy the province, business and trucking.

I would like to talk about the effects on registration for trucks that come into Ontario from out of the province. There is a scheme that is very effective. Every truck registered outside the province of Ontario bears a sticker on the door that changes colour every year. That allows the fine and of fuel tax inspectors across Ontario to enforce the Fuel Tax Act very easily by looking at the door of the vehicle as they pass it and seeing whether the truck is registered for fuel tax in Ontario. That band of inspectors catches thousands of people trying to circumvent the Fuel Tax Act in Ontario. They are aided and abetted by all the weigh scale stations across the province required for a truck to enter, and they also enforce the Fuel Tax Act and bring in the revenue to this province.

There has been some talk about the advantages of being an American trucker, a Quebec trucker or a trucker from New Brunswick, and I can say there is none, because the Fuel Tax Act administers it two ways. You register with your sticker, and at the end of the year you are audited to see the miles you have driven in Ontario and if you bought enough gas and paid enough tax. The other way you can do it is that you can stop at the border and purchase a single trip permit. That permit is prorated at the rate of the diesel tax, and I think it works out at the moment to about five cents a kilometre from your point of entry into Ontario to your destination. To weigh out of Ontario, you pay exactly the same fuel tax as an Ontario trucker. This myth that the people from the US can come in and get a break is not true. It is a fallacy.

I would like to close, because I know some other folks would like to get on the agenda, by saying I too do not like tax increases. I find them obnoxious. Before I was elected to this Legislature, of which I am very proud, I made a number of speeches about taxation, and I always used to finish up with the line that even as you are fed up and you want to leave the country, you have to pay a departure tax at the airport.

I am no lover of taxes and I would like to see us keep a lid on them, but the fact of life is that we just cannot do that in this time of recession when we have to look after the people who, if it were not for this government, would have difficulty surviving.

We are a compassionate government. There are 50,000 children, I believe, on welfare in Ontario and I am proud to say that this government is looking after those children. We do not want children sleeping under cardboard boxes in the streets of Ontario. This is really the bottom line. You cut taxes, you cut the services, or you care for the

people together. You care for the people who live in this province with us. I am proud to stand here and be part of a government that is caring for all Ontarians.

Mr J. Wilson: The member for Durham East talks a great line about social justice and wanting to help the poor. He reiterates the Treasurer's defence of the \$9.7-billion deficit—and climbing—but I think the point I would like to make as respectfully as possible is that we had 16 years of socialism under Mr Trudeau. It was spend, spend, spend and tax, tax, tax. The actuaries at the time told him he was bringing in programs he could never pay for and, before every election, if members look at the history of spending during the Trudeau years, on which there are now a number of good books, they will find he increased a number of the programs and payments to individuals regardless of whether he could ever pay for them.

My father, who is about the age of the member for Durham East, a very wise man, calls that the big lie, that we lived through some 16 years of the big lie. Geoffrey Stevens, I think, in the *Globe and Mail* succinctly put it not too long ago when he said, "We've had about a generation and a half of Canadians grow up"—I did not think it was the member's generation but I guess it is—"believing we can get something for nothing and believing that government can spend itself rich." We are simply trying to bring some common sense back to the system, in my leader's proposals this morning, for instance, in setting a new economic direction for this province.

The government cannot spend itself rich. We and our children, the people of my age group, are going to have to pay for this government's deficit, which is just deferred taxes. We have had enough of the big lie. We have had enough of governments using the old Visa card to try and prop up the economy and to try and get cheques to individuals. The greatest dignity the government can give an individual is the opportunity for employment. Government does not create jobs, so members opposite should get that out of their noggins. Governments create the economic climate so that businesses will create jobs. The government increasing taxes and Bill 85 will do nothing to help competitiveness in Ontario.

Hon Mr Philip: I want to make a few comments based on the remarks of the previous speaker. First of all, he says that somehow he and the Conservative Party have a unique way of creating jobs and of investing. If members compare the kinds of economic policies of the Conservative Party in Saskatchewan and British Columbia and across—

The Deputy Speaker: Order. You are supposed to comment on Mr Mills's debate.

Hon Mr Philip: I am sure the member for Durham East would agree with me that if we compare the economic theories he has espoused this afternoon with those of the previous speaker, then we will see the difference, because we have had a comparison. We have a comparison with foreign investors investing in this country. Some 77% of all money from foreign investment, as Statistics Canada will tell you, has gone into one province since April 1—the province of Ontario. That is where investor confidence is.

They say we are managing the ship. Saskatchewan did not manage the ship. Of course, they are no longer in government. BC did not manage the ship; they used the kinds of economic theories the Conservative Party has asked for, and we can see where they are.

The Ontario economy has started to recover in 1991-92, with a real growth rate of 7.6%, while the rest of the country is at 4.9% increase. If we take any economic indicator, Ontario is growing faster than the next fastest-growing province, British Columbia. Who is doing the best job? Clearly, the New Democrats in Ontario are doing the best job. Every indicator in the books says we are growing faster.

Interjection.

Hon Mr Philip: The member does not like to hear that. That is why he wants to interrupt me.

Mr Sola: It is a pleasure to disagree with the member for Durham East, but even more so with the Minister of Industry, Trade and Technology. What we heard from the minister was nothing but a bunch of hogwash.

First of all, I agree on one point the member for Durham East made, that the \$10-billion deficit not only bothers me, I find it horrific. On the other hand, when he says his government is compassionate, I must ask him to ask the taxpaying public of Ontario how compassionate it is. Then he will get an answer.

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He mentioned that there is an important point on Bill 85 that the opposition members have been unwilling to comment on, that is, the evasion of taxes, which costs millions of dollars. I would like to point out that tax evasion is not prevented by additional taxation. Additional taxation fuels tax evasion, if I can use that term. It encourages tax evasion. We do not have to look at just Bill 85; we can look at the bill on tobacco.

When we find that the corner store is selling contraband cigarettes, that people smuggle in cigarettes and that organized crime finds it more profitable to deal in smuggled cigarettes than drugs, that shows taxation has gone too far. Every measure they have introduced in this budget has just added tax upon tax. Just look at cross-border shopping. It is encouraged by every tax they add.

Mr Sterling: I could not help but rise to the bait when the Minister of Industry, Trade and Technology stood up. For him to compare what is happening in Ontario to what is happening in Saskatchewan shows how little he understands the different economies of the two provinces.

Hon Mr Philip: I said British Columbia.

Mr Sterling: Saskatchewan is going through a painful time because of the world prices for grain and agricultural products. Its total economy is based on agriculture. We know what is happening to the farmers in Ontario and what is happening to the farmers in Saskatchewan, and that is why any government—

Hon Mr Philip: How about Quebec and BC?

Mr Sterling: Let's talk about BC. The Minister of Industry, Trade and Technology wanted to talk about the great election victory of the NDP out there. They got fewer

votes this time than they did the last time. All that happened in BC was that the people who are against the NDP divided into two camps. That is all that happened. That is a great victory for Michael Harcourt. That is what happened there.

I really should not rise to the bait. I wanted to talk about the very sage remarks of the member for Durham East. The member for Durham East has a special knowledge of Bill 85 and Bill 86. In his previous job before becoming a member he was a fuel tax inspector, so he speaks with great knowledge with regard to these particular issues. I think there are some good parts to Bill 85, and those are the ones dealing with the enforcement of our existing regulations. What we object to is the disincentive to the trucking industry and to business in Ontario by these high diesel fuel taxes.

Mr Mills: I will be quite brief and succinct. By my nature, I refuse to subscribe to the doom and gloom from the official opposition and the third party. I will not subscribe to that doom and gloom because I am an optimist. I am sure this government is now showing a degree of compassion that will turn around to a vibrant, full, plush, business-loaded Ontario.

Interjections.

Mr Mills: I do not like that shouting. I think it is very bad manners and I do not think it should go on. I go back to that sweaty June day when all that mob were out there with their little phones and their watches glinting in the sun and complaining about the taxes. Where were all those people when the official opposition plunked that dreadful tax on propane? That was a misuse of their power. If I had had a propane vehicle, I would have encouraged everybody from here to Timbuctoo to block the highways with their Winnebagos in protest. They did not do it, but they should have done it, and those were good times.

Mr Miclash: I rise today to speak about what this tax will do to us in the northern part of the province. It is unfortunate that the minister, who is actually from the north, is not here today to hear my comments. As a matter of fact, I see no ministers from our northern area here to listen today.

When the budget came in on April 29 we found that the NDP government had brought forth this increase on diesel fuel and that it would affect trucks, trains and other vehicles. They raised the fuel tax, as the member for Ottawa-Rideau indicated, by 1.7 cents a litre to 12.6 cents. As well, they raised it on the fuel which will be used by locomotives—as members will know, a very useful transportation mode in northern Ontario—to 3.95 cents per litre. As well, this tax will again be raised. I think a lot of people do not understand that fact and a lot of my constituents do not realize we are looking at another tax increase, coming January 1.

In total, this fuel tax is being raised 30% across the board. That is a very important fact people are beginning to realize. People who use these different vehicles and sources of transportation I have mentioned are looking at a 30% increase. Only this afternoon I spoke to a resort owner in northwestern Ontario and indicated to her that

other increase is coming. Of course, she expressed dismay, realizing that this was going to have a very real effect on her as an owner as she heads into the next tourist season.

Let me get back to the bread and butter issues. Let me refer to us in the north. As members will know, we are a population that depends on resource industries throughout the north. Resource industries are very important to us. When it came to bringing forth this tax, I have to wonder whether the cabinet actually sat around the table and discussed what they were doing in terms of these resource industries.

I mentioned that the Minister of Revenue herself is from northern Ontario. We have heard over and over about the six ministers we have sitting in cabinet representing northern Ontario. I really wonder whether they actually realized what they were doing in terms of our many industries throughout the north. I think of them sitting around that table and saying, "We've got to consult." I would like to know with whom they have consulted. Anybody I have spoken to regarding an increase in this taxation is saying they knew little or nothing about it until it was announced. They know little about not only what was announced in the April budget but what is coming for them in January.

I will let members in on a secret. Just recently we have found that many people throughout the north are being faced with a very difficult competition factor from Manitoba firms. I think what is happening here is we have a cabinet, a cabinet with six members from the northern Ontario area, maybe consulting with the people in Manitoba. They certainly are not consulting with my constituents.

A lot has been said about the trucking industry. The member for Ottawa-Rideau indicated that this is going to have a devastating effect on the trucking industry. The speaker has travelled the north. He is familiar with the entire province. Only yesterday I was speaking to the judges. I indicated to them that for me to go from one end of my riding to the other end is not possible by vehicle, but for me to go from one end to the other end where I can drive takes me four hours. So members can imagine what this is costing an industry that has to bring raw materials to our local manufacturing plants when we have distances that are great. A lot of these trucks that travel and bring the raw materials to our industries and take the finished products away have extensive distances to travel. When I talk to them about the increase in this taxation, an additional \$1.5 per fill-up, an additional \$4,000 per year, they cannot believe they have been dealt yet another blow by this government.

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When the member talked about the trucking industry, he indicated it was a very important industry. It contributes \$5 billion to the economy of this province each year. Again, I refer back to northern Ontario and the vital spin-offs we gain from the trucking industry. A lot of people have talked about them going broke. I must emphasize that when the trucking industry goes down, a lot of people will go down with it.

As I have often indicated, we rely wholly on our raw materials in the north, and with that is the transportation of those raw materials to our plants and the finished products

away from our plants. A lot of our finished products go to the United States of America, so we have the trucking industry in northern Ontario having to compete with the industry in the United States. A number of factors have been pointed out where they are having a very difficult time in this competition. A member earlier mentioned it was another nail in the coffin for the trucking industry. I too must agree with that. The competition may become just too difficult for them at this time.

As well, Mr Speaker, you will know from travelling throughout the north and northwest that tourism is very important. As I indicated earlier, I have spoken to some of our tourist operators. Earlier this spring, I introduced to the—

Mr Callahan: On a point of order, Mr Speaker: I do not believe there is a quorum, nor as far as I know is the minister or the parliamentary assistant who has carriage of this bill in the House.

The Acting Speaker (Mr Villeneuve): Mr Clerk, is there a quorum?

Clerk Assistant and Clerk of Journals: A quorum is present, Mr Speaker.

The Acting Speaker: A quorum is present. The honourable member may resume his participation in the debate.

Mr Micalash: I go back to the point I was on in terms of tourism. In the spring, members will remember, I mentioned that the tourism industry was in a situation where it was facing a good number of burdens placed on it by this government. Finding out that another burden was going to be placed on it through this fuel tax bill, as I said about the trucking industry, it may be one more nail in the coffin for the tourism industry, finding out that it is going to be faced with a 30% increase in just diesel fuel costs alone.

When I speak about diesel fuel costs, I am talking about the plants that run their operations, run electricity for their lights, their refrigeration and their water pumps. A lot of people take these things for granted, but we must remember that in the tourism industry, we quite often have remote resorts where they depend solely on generators and diesel fuel for this. As I indicated, the additional 30% will run a tourist operator anywhere between \$2,400 to \$3,000 a year on the average in increased costs. That is going by the fact that presently they pay between \$8,000 and \$10,000 a year for their diesel fuel to run their operation.

We can see what is going to happen. We can see that the tourist operators are going to have to raise prices for the clientele coming to them. In a very difficult market, one they are facing today, they are going to have a tough time. This is just another thing to add to their difficult times.

We have often heard about the gas guzzler, and the Treasurer has spoken a good number of times about his gas guzzling tax, but I must remind a lot of the members in the House that a good number of people in the north rely on diesel fuel for their private vehicles. As members will know, we do not have the mass transportation system that a lot of southern Ontario people rely on each day. In the north, we rely on our private vehicles.

I mentioned earlier about the tourist operator. Many of his vehicles must be four-wheel drive, and in order to cut down on costs he has gone to diesel-powered four-wheel drive; not only the tourist operator, but a lot of people who provide essential services such as the doctor who has to get around in the north in a very severe climate. A lot of the members will know that I was actually stuck earlier this week in a snowstorm, as was the Minister of Northern Development. A very severe climate has already come to the north and a lot of our essential services depend on these diesel-driven vehicles. So I must emphasize that it is not only the truckers we are talking about, but vehicles that apply to other areas of the north as well.

This government sold itself to the north, saying a good number of things. As I indicated earlier, there are six ministers from the north in cabinet who should know what is happening around us in the north. I must say as I travel throughout the north, as I have done fairly extensively over the past 14 months, I find that the people across the north do not feel we are actually getting through to these cabinet ministers. I have just illustrated various areas where I do not think they gave much thought when they talked about bringing in this additional tax, which is going to affect very much those industries I have talked about.

They remember people in the last campaign saying that we would take a look at equalizing gas prices across the province, a very specific promise made by the present Minister of Northern Development and Mines. They are looking for that. Rather than getting that, all they are seeing from this government is an increase in taxes that possibly will drive them out of business and increase the hardship of people throughout the northern Ontario area.

Mr Ruprecht: I was quite impressed with the statements made by the member for Kenora, especially when he was talking about the north and how we can make this industry competitive. It is clear that the Premier said in a statement in this Legislature as late as September 23, "We try to make Ontario as competitive as we can possibly make it." This kind of increase in taxation is not going to make Ontario competitive. When we look especially at one important figure, that is, the number of bankruptcies, it is now clear that bankruptcy rates in the trucking industry are up over 156%.

To those who can figure it out, 100% means twice as many bankruptcies as the year before, and 156% obviously means more than twice the number of bankruptcies in the trucking industry as in the year previous. These rates are obviously unacceptable and there is no doubt that the promises that were being made are being broken.

I did not get a chance to address myself to the member for Durham East when he mentioned that there were some members in the NDP who also found tax increases, and his word was, obnoxious. I thought I did not hear that right. I know the member had indicated that this was a caring government, but what is more important is that he said he found tax increases obnoxious.

I would expect that he would talk to some of the ministers who are in this House. Really, we appreciate it. I see the House leader is here; I see the Minister of Industry, Trade and Technology is here; I see the minister responsible for car

insurance is here, but what we want to see is the minister who is responsible for this bill. Where is the minister responsible for this bill? Why is she not here? Is she not supposed to be in charge? Is she not the Minister of Revenue? While on the one hand we applaud the people present, we cannot applaud the minister's absence.

Mr Johnson: On a point of order, Mr Speaker: The member for Parkdale mentions that the minister is absent today. I think it is appropriate—and I think it is something that is done regularly when ministers cannot be available in the House—that parliamentary assistants sit on their behalf.

The Acting Speaker: That is not a point of order, it is a point of information.

Hon Mr Philip: On a point of order, Mr Speaker: The tradition of Parliament is that one does not draw attention to the absence of a particular member.

The Acting Speaker: That is not a point of order. That is also a point of information.

1700

Mr J. Wilson: I thought the member for Kenora made a number of very good points. As the former critic for Tourism and Recreation for the Ontario PC Party, I want to back up what the member said in terms of the high cost of diesel fuel and the impact that and gasoline and cigarette and alcohol taxes have on the tourism industry, particularly in northern Ontario, in northwestern Ontario and in the border towns.

I remember visiting a border town where taxes were the number one reason why people of that community would cross the border to shop in the United States. It has been raised earlier that gasoline taxes and diesel fuel taxes contribute very negatively towards the tourism industry. As the member pointed out, particularly the cost of goods and services in the north skyrockets as these sorts of taxes go up. Because of the great distances that need to be travelled, the cost of tourism services and tourism accommodation goes up significantly.

We are having a very difficult time in that sector competing with the Americans. At one time people would go up and hunt and fish in northern Ontario and northwestern Ontario, but in the last year or so people have simply said they cannot afford Canadian prices. That is a direct result of the high taxation of this government.

I would also like to point out that the member for Kenora was part of a government that raised taxes some 33 or 34 times. I think we had a 132% increase in taxes overall. I find it somewhat ironic that he would now be complaining about taxes when his government, contrary to when we were in office some seven years ago, really sinned the greatest when it came to increasing taxes and making Ontario uncompetitive. One industry that is hurt very badly by taxes that I do not think gets enough consideration at the cabinet table is tourism and recreation.

Mr Johnson: I agree with the member for Kenora and say that the north is still suffering from the recession that was caused by the previous Liberal government and is still suffering as a result of the present PC federal government.

at we have in Canada right now. I think we cannot forget these facts.

The Canadian dollar right now is higher than it has been in recent years. This has impacted very negatively on forestry and mining in northern Ontario. The 1991 budget reflected on some of the hardships that are suffered by people in the north, especially with regard to transportation. All members are aware that we removed the registration cost for those people who have great distances to travel in the north.

Mr Sola: I too commend the member for Kenora for giving a northern perspective to the effects of this tax increase and for pointing out that a 30% increase in price in the north is especially devastating when you consider that northern areas already have the highest rates and the highest prices. The distances travelled are the greatest and the weather conditions are the most hazardous encountered anywhere in the province.

They have no alternatives. There is no TTC up north. There is no GO Transit up north. There are no alternative modes of transportation; you have to use the roads, which are not four-lane highways as they are in the south. There are no fast routes from point A to point B. The only alternative is airplane travel, which most people cannot afford. By increasing fuel taxes in an area that has no alternative but to use that fuel, the government is making things very difficult to sustain.

When the member for Prince Edward-Lennox-South Hastings says the dollar is at its highest and that the problem stems from Ottawa, that may be the case. But adding a tax on to the problems that Ottawa has already placed upon the north does not alleviate the problem. It just adds to the burden, makes it that much more unbearable, and makes the NDP seem to be that much less a caring government than it was when it made the promises during the election in 1990.

Mr Miclash: I would like to thank the members for their comments. First of all, I have to thank the member for Prince Edward-Lennox-South Hastings for giving us that \$33. But I want to inform him that at the same time he raised our gasoline prices to an average of \$115 per vehicle per person. That means if a person has a vehicle in northern Ontario, this government says it will take the registration of \$33 and get rid of it. At the same time, it raises the price of gasoline that person is going to put into that vehicle, on an annual basis, \$115. So I really cannot see any way this government can say it did something for those who live in northern Ontario.

I have said many times that we do have those greater distances. We spend a lot more money on gasoline than people would ever expect to spend here in southern Ontario and, as the member has just indicated, we do not have the luxury of public transportation and four-lane highways that they have here.

The member for Parkdale actually brought up a very good point. He said the Premier has often said he is going to try to make Ontario competitive. When we take a look at what the Premier and this government have done to make Ontario competitive, we must take a look at what

they have done in northern Ontario, and I must say we have to question certain things that they have done for us. I just indicated that they gave us back \$33 but took \$115. How can that help us in the north?

The member for Simcoe West indicated that taxes were raised when we were in government, but as we have indicated before, we were in fairly good times. This government keeps saying it is in recessionary times. It keeps telling us that we are suffering through this heavy recession, yet it is going back and hitting the people of northern Ontario by increasing tax in areas such as we have talked about here today.

Mr Sterling: I want to indicate at the outset that both I and my party oppose this legislation. That is not surprising in view of the fact that my party has taken a very strong stance against tax increases. But before I get to the issue, I want to indicate to members the lack of co-operation which I have received from the Ministry of Revenue with regard to this legislation.

Some month and a half ago I was called to a meeting by the Ministry of Revenue along with the Liberal critic, the member for Ottawa-Rideau. We were asked to go to a meeting to explain these bills. It is a good idea to have a briefing, and I thanked the officials at that particular meeting. But at that meeting I asked several questions and was promised an answer by the officials at that meeting. I asked, "What are the fuel tax rates on diesel fuel and railway fuel in place by our federal government at the time?" I also asked, "What are the fuel rates of the surrounding American states and the federal United States government on these same commodities?" I wanted to know whether the increase in these fuel taxes was comparable or way out of whack with regard to the taxes in those states.

That was some five or six weeks ago and I have not received a response. Therefore I do not think that I can properly debate this as the Treasury and Revenue critic for my party, and I move adjournment of this debate.

The Acting Speaker: The honourable member for Carleton has moved adjournment of the debate. Is it the pleasure of the House that the motion carry? I heard some negatives.

All those in favour of Mr Sterling's motion, please say "aye." All those opposed, please say "nay." In my opinion, the nays have it. The debate will continue. The honourable member for Carleton still has the floor.

1710

Mr Sterling: If the government wants these tax bills and its legislation considered in some kind of co-operative and expeditious way, the officials of the Ministry of Revenue, who are asked questions, should at least communicate to my office that they cannot answer the questions or they are unable to find the answers to my questions. That is a matter of respect to members of the opposition when in fact they are called to the minister's office to receive information.

I am very angry that I was led to believe at that time I would receive that information. Had they said, "We cannot provide that information," I would have sought that information myself. It would probably have been much more

difficult for me to do that because, as you know, Mr Speaker, as opposition members we have a limited budget. I would expect that when the Minister of Revenue for this province sits down with the Treasurer and strikes a 30% increase in diesel fuel taxes on our people in this province, they would know what the taxes are in the surrounding jurisdictions.

I can only assume, because I have not received that information, that (1) it was because of neglect by the Minister of Revenue or (2) they never had that information to begin with. If we assume it was the latter, that they did not have that information to begin with, then I am very concerned about how the Treasurer and the Minister of Revenue are striking tax rates on not only gasoline but incomes, tobacco and everything else we are encountering here.

I do not believe that they can now make tax policy in isolation within the borders of our province alone. I think perhaps they could have as long ago or as short ago, if you want to put it that way, as two or three years. I believe today, however, because of the fact that the world market and the domestic market are shifting so dramatically and have shifted so dramatically over the last three, four or five years, we no longer can sit in our office here at Queen's Park in the Frost Building and say in isolation, "We are going to increase the taxes on diesel fuel by 30%," without regard to what New York state, Pennsylvania, Ohio, Michigan and the other states which carry on trucking across the borders are charging for their diesel fuel and how much of that is made up of tax.

That is the great worry of my party with regard to all the taxes that have been introduced. We do not like taxes and we have stated unequivocally that we are against all taxes. but I have to admit that if I were sitting on that side and faced with the situation they are faced with, I would be tempted into taxation. My concern—

Hon Mr Charlton: You're starting to look like Dean Martin.

Mr Sterling: Like Dean Martin? It is not the same stuff as Dean Martin drinks, unfortunately, on Thursday afternoon. Maybe I should not say that about him. I do not know what Dean Martin has in his glass. That is drinkable water.

I will not let them knock me off my spin here. Our very great concern is what happened with regard to tobacco taxes. It invited people to break the rules. An increase in diesel fuel will invite some people to break the rules or try to break the rules more frequently. The good part of the act tries to address that particular problem. However, our greatest concern is our ability to compete, not only for the trucking industry but for those who use the trucking industry on a regular basis, our badly assaulted manufacturing sector, which is going to feel the effects of increased diesel fuel taxation.

I think it is important for the people of Ontario to know that we are talking within this one act about two diesel fuel hikes. We are talking about two railway fuel hikes as well. With regard to diesel fuel, which I think is more relevant to our competitive situation, we are talking a tax increase

from 10.9 cents a litre to 14.3 cents a litre. That is a pretty hefty hike in one act and in one government.

We are indeed concerned about the overall competitiveness of our business. We have seen, however, that the actual cost of moving goods by truck in this province has decreased in the last five years. That is because of one of the very few good things that the former Liberal government did, and that was the deregulation of the trucking industry. I believe very strongly in the deregulation of the trucking industry because before it was a monopoly.

What happened within our trucking industry before was if you had a licence, you put up the prices because you had a monopoly. There were only so many truckers, there were only so many people you as a shipper could go to in order to get your goods across the country. In fact what happened in my riding, which I represented—part of which you now represent, Mr Speaker—in the county of Grenville, under the old rules you could ship goods from Prescott, Ontario, to Chicago on the American side cheaper than you could ship goods from Prescott, Ontario to Toronto, Ontario. Under the present rules there is now competition. The very basis for a licence is on safety. That is where the basis should be.

What we have seen from this government in a knee-jerk reaction to a problem that arose in the trucking industry was the attempt to reregulate the trucking industry. We are going to discuss that bill in particular a little bit later but it relates to this bill. It shows what happens when they get in trouble by taking one step and then having to react in another way in another policy area, which makes us more uncompetitive.

Because of a varied number of factors, our trucking industry has had a difficult time competing with American trucking companies. We understand that. But instead of attacking the problems and saying, "What are the factors which make our people uncompetitive?"; instead of saying to our truckers, "Let's make you more competitive with your American counterparts" by having reasonable diesel fuel taxes, by having reasonable sales taxes on what they buy, by having other reasonable taxes which they would have to pay; instead of looking at the American model and saying, "Hey, those guys can ship goods from one point to another point cheaper than we can. Why can't we do that? Why can't we match them?"; instead of doing all that, what our Minister of Transportation, who is now our Minister of Industry, Trade and Technology, did was reregulate the truck industry.

What the minister wants to do is create within our economy a monopoly of the trucking industry, so that people can say, "Okay, we can't get into this business any more, we can't transport goods any more, you can't start a business any more because there are only so many people in it," and that leads to higher prices. That is what we had before trucking was deregulated in this country and in this province.

What we have seen through these two bills that are now before this Legislature is, first, an action by the government to increase diesel fuel tax, which makes our trucking industry less competitive. What is the reaction? Create a monopoly so that prices will rise on the transportation of

ods. What happens? Manufacturers who truck their goods with these people no longer can compete because they have to pay higher shipping costs among other things. What happens? We lose jobs.

So the story goes from higher diesel costs, to restricting people from getting into the trucking business, to creating a monopoly, to closing down manufacturers, to losing jobs. This tax loses good, paying jobs for the people in Ontario, paying jobs in the manufacturing sector, jobs that are very hard to recover, if it is possible to recover them at all.

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My party speaks very strongly against this bill and will speak strongly against the re-regulation of the trucking industry, because we want to maintain jobs in Ontario. That is the issue in Ontario today. The creation of a tax for diesel fuel higher by some 30% in one year is going to cost us province jobs.

I want to talk a little bit about fuel taxes and fuel prices, because not only are we faced with unfair increases in fuel taxes in Ontario, but we are faced with an unfair price-ricing situation. That compounds the problem of the increases in taxes in this piece of legislation and in the next piece, Bill 86, which basically deals with the same issue but deals with gasoline.

In the city of Ottawa and in the Ottawa Valley, which you know fairly well, Mr Speaker—probably you know the valley a little better than I do now, particularly the lower part of it—we are paying, on average over the past year, 3.8 cents per litre more than they are in the greater Toronto area. No one can explain it. No one can explain why we are paying on average 3.8 cents per litre more than the people in the greater Toronto area. In fact, if you drive maybe 10 miles outside Ottawa, from time to time you can actually buy gas cheaper by maybe four or five cents a litre than you can in the city of Ottawa.

It seems the federal government has taken some steps to look at this problem, and is awfully slow in coming back with the results of the study. But this party, which complained about the high gas prices in the city of Ottawa, in eastern Ontario and in the Ottawa Valley when they were on the opposition benches, and complained and railed against the former Liberal government and complained and railed against the former Conservative government—I was part of that government—has done nothing to alleviate the discrepancy in gas prices between the Ottawa Valley and down here.

Because they only have one member east of Kingston, I suspect they really do not care. It does not really matter to them what is happening in the Ottawa Valley.

Mr Johnson: You want us to interfere?

Mr Sterling: I get from the parliamentary assistant, "Do you want to interfere in competition?" The problem is that we suspect there is no competition. There is a problem down there nobody is addressing. Everybody is sitting around on their hands and doing nothing about the tremendous discrepancy and the price that people in eastern Ontario are paying and the gouging of the people of eastern Ontario that is going on by the gasoline companies.

The people in Ottawa and the valley are fed up and are starting to take some positive action in terms of boycotts against the major oil companies until there is some fairness put back in the situation.

No one can tell me it costs 3.8 cents to transport a litre of gas from Toronto to Ottawa. You can transport a refined litre of gas probably for a fraction of one cent, maybe 0.1 or 0.2 cents per litre, from this city to Ottawa.

I think that if the Ontario government cared at all about the gas prices the people in eastern Ontario are paying, it would do something about it. It would get after the federal government and say: "Look, get this study on. We want going to find out what is happening with regard to this gouging and we're going to stop the gouging that is taking place in eastern Ontario."

I want to tell members that when we put this particular matter into committee of the whole House, it will get some longer debate because of the very late arrival of information. I have just now received it on a pink sheet. It is dated September 25. I do not know why I did not receive this until right now. I thank the parliamentary assistant for finally responding to my question. It is very difficult for me to read this information and debate it at the same time; therefore, I will sum up.

Mr Winner: You could do it.

Mr Sterling: I could do it? Probably I could. If I get enough interjections from the members of the opposition party I could probably do that.

In the United States the federal government takes six cents a litre. Our federal government takes four cents a litre. The state government takes 30 cents a litre and our provincial government takes 12.6 cents a litre. In that regard we are very competitive. I wish I had had this information and thank them for it.

With regard to New York, I am not as concerned as I was before. With regard to Michigan, we are not as good. They only take 4.5 cents a litre, whereas we take 12.6 cents a litre and that is going to go up. Ours is really 14 cents a litre when we put the two chunks into it, 4.23 cents, so we are three times as great in terms of our take in diesel fuel with regard to Michigan. Minnesota is about a third of ours as well. Well, we are like two and a half times what Minnesota does.

While we compare favourably with the state of New York, we do not compare favourably with Michigan and Minnesota. That is important information for me to have when I am talking about these taxes. I do not know whether the cumulative effect of other taxes on diesel fuel in New York state or the fact that we have a greater amount of trade with Michigan and perhaps more traffic moving through Michigan means that we should be more concerned about Michigan than perhaps New York state. At any rate, I thank the parliamentary assistant very much for that information, which I requested some time ago. It probably was an oversight that it was not given to me prior to this time.

Anyway, I want to sum up because I have just been offered a financial incentive to do so. I want to indicate that we are adamantly against this piece of legislation

because it does increase taxes when our truckers and our manufacturers are having a tough time competing. It is one way we could make them more competitive.

Mr Johnson: I regret that the member for Carleton did not receive the information he requested. I did receive it and I believed he had received it as well, but obviously that did not happen. He has that information now.

The member mentioned that there was some gouging maybe or that there is great fluctuation in the price of gasoline. We are not dealing with gasoline; we are dealing with fuel tax, Bill 85. Nevertheless, I just want to remind the member that it is the federal government that looks into this; it is not the provincial government. We cannot regulate the prices of commodities. It has something to do with the national energy policy, as I understand it. I just want to let him know that I can buy gasoline in Toronto for almost 10 cents a litre less than I can buy it in my own home town of Cherry Valley.

1730

I also want to remind the member for Carleton that in no way does this fuel tax increase make the trucking industry in Ontario any less competitive, because truckers from out of province, whether they be from the United States or from other provinces in Canada, pay the tax. It is prorated according to the amount of travelling they do in the province, so this tax revenue actually comes to the province of Ontario and is paid equally by our truckers and by truckers coming into the province. That does not make us any less competitive.

The member for Carleton has already agreed that the relationship in tax rates to some of the states nearby is not as great as was previously thought, I believe, and I am glad he has this information now.

Mr Ruprecht: I enjoyed the remarks by the member for Carleton, especially his metaphor on the knee-jerk reaction. This government is obviously looking around for some revenues to raise and it has found a cash cow. Obviously they are saying: "Where do we get the money to pay our bills, because we're broke? Let's raise taxes in terms of the diesel fuel for all kinds and modes of transportation."

Obviously by raising taxes, they are driving other people out of work. Many bankruptcies—a 156% increase, as I mentioned earlier—have occurred. Consequently they are caught up in a vicious cycle: higher taxes, lower employment, bankruptcies. That is the cycle they are in, and it is obvious.

On January 1, 1992, we are going to be hit, especially the trucking industry, with a 14.3-cents-per-litre increase. This kind of an increase obviously is unacceptable. Why is it unacceptable? Because directly affected will be a number of people who are working for the trucking industry. The Ontario Trucking Association tells us today that there are 228,000 workers directly employed by the trucking industry. Higher taxes making the whole industry less competitive will obviously affect the whole industry and the infrastructure that is keeping Ontario, at least at this point, still somewhat operating.

I am not admitting that it is competitive, because it is not. What they are doing with these kinds of increases,

especially as they affect the trucking industry, is closing down shop for many people. The effects are devastating because the Ontario Trucking Association says the jobs of 228,000 people are directly affected. I am not saying all of them are going to be bankrupt, but some will lose their jobs.

Mr J. Wilson: I take objection to the parliamentary assistant, the member for Prince Edward-Lennox-South Hastings, who took objection to the member for Carleton comment that the trucking industry is less competitive as a result of Bill 85. It is true that the trucking industry will be less competitive.

The government tells us, "We also force Americans to pay the tax to the Treasury of Ontario, so therefore it is a level playing field with regard to this tax," but the point is that the Ontario truckers object to this tax; they tell us it will make them less competitive. Trucking industry costs are anywhere from 15% to 20% higher in Canada than in the United States.

The point the government must understand is that this is an ugly spiral. If trucking costs are high in Canada, that raises shelf prices. It raises the price of tires that truckers need for their trucks, all the input costs required, because there is a tax all the way along the system. Anywhere you put a tax in the system, if you are delivering the product, your increased taxes add to the shelf price of those goods. Truckers who buy supplies in Canada very clearly tell us that their inputs are some 15% to 20% higher in Canada than in the United States. It is an ugly spiral. To say that in one specific area, with regard to diesel fuel, Americans and Ontarians are relatively on par is untrue, because that diesel fuel tax works its way through the consumer chain and through the economy and affects shelf prices and input costs of truckers on items they need to run their businesses. We know they are uncompetitive; they tell us that themselves, and I do not deny the word of the truckers.

Mr Sterling: I want to respond and thank the members for speaking to my comments with regard to Bill 85. I just want to say in wrapping up that someone informed me that they were flashing "Bill 86" on the TV screen. That one is a bill dealing with diesel fuel and railway fuel, and Bill 86 is gasoline. That is the next one we will probably talk about in terms of these bills.

At any rate, in responding to the parliamentary assistant, I want to also emphasize, as the member for Simcoe West has just pointed out, that to say that because American truckers who are here have to pay the same diesel fuel as Ontario truckers makes us equal and therefore there is no competitive downside to it is a fallacy. It does not matter who is hauling the goods; the price of hauling those goods is going to be increased because the taxes have been increased. Therefore this is an item which makes it more difficult for our manufacturers to compete, and we will lose some jobs as a result of those manufacturers not being able to compete. It is not a question of just saying the Americans versus the Canadians in terms of which trucker is here.

There is another factor too, though. Because most of the Ontario truckers would operate more frequently here in

tario, there is a tremendous cash-flow problem with regard to paying higher fuel taxes, even though the Americans may have to pay the same.

The final thing I would say to the parliamentary assistant is that Cherry Valley cannot quite be compared to Carleton Place in terms of size.

Mr Winninger: I am certainly pleased to engage in debate with my friends on the opposite side of the House and perhaps to refute some of the incorrect assertions that have been made from time to time during the earlier debate.

I suggest that this tax is in line with fuel increases in other provinces. At the present time our rate of 12.6 cents is matched by that of Quebec, a comparable economy to that of Ontario. So we are tied, as it were, for the fourth-highest rate across Canada, after Newfoundland, with 15.6 cents, Nova Scotia with 14.3 cents and New Brunswick with 13.7 cents.

I have heard the member for Carleton indicate that his party is opposed to all taxes, and especially the fuel tax. I take with interest that the member for Carleton was a very distinguished member of the government in 1981, when the diesel and railway fuel taxes were increased not once in a year, but four times in a year. In 1981, the diesel tax was increased four times. In 1982 again, four times in a year the diesel tax was increased. In 1983—my friend is still a distinguished member in the government at that time—the diesel tax was again increased four times. In 1984 the record improved a bit; they only increased it three times in 1984.

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Let me tell you, Mr Speaker, and by that time I believe you were also a member of that distinguished government, in 1984 the tax was up to 9.3 cents a litre. What was it in 1981? It was only 5.9 cents a litre. So the third party, while in government, virtually doubled the tax. It ill behoves the member for Carleton to lecture this government on tax increases when they increased it on a quarterly basis.

I tell the member for Carleton that I can sympathize with the position of his government at the time. They too were facing a recession in the early 1980s. They too needed cash to fund their programs, similar to what our government's needs are now. However, our government's needs are more acute, because the recession we are facing now is the worst recession we have seen since the Depression—nothing compared to the recession my friend and his government faced in the early 1980s, when companies had a struggle, but at least they could recover from the recession and resume operations. If anything, this recession has caused many companies to close down on a permanent basis, and I attribute that to the federal colleagues of the third party.

I would like to go on to mention that the record of the opposition was not much better, because from 1985 until 1990 the diesel tax was increased on an annual basis. I could point out that one of the major reasons, and I believe my colleagues have also emphasized this, is the fact that federal government deregulation of the trucking industry is really the main villain in this scenario. It is not a modest increase in the diesel fuel tax; it is deregulation,

too much competition, too many American companies entering the market in Ontario and driving down the revenues of our own domestic trucking industry.

A recent issue of the *Globe and Mail* Report on Business magazine, which I am sure my friends on the opposite side have perused, has indicated that if our dollar were capped at 85 cents US, the cost of doing business in the trucking industry would be exactly the same in the United States for American truckers as it is for our own domestic truckers. I think that ought to be remembered.

Certainly our government has taken active steps in easing the plight of Ontario truckers by reducing the number of licences issued. This is one way it is within our jurisdiction to deal with a situation that was created by the federal government and by those inimical economic policies that can only do great damage to the trucking industry. It is not a modest increase in the diesel fuel tax; it is macroeconomic policies at the federal level that have done great harm to this industry.

In conclusion, I think that the member of the third party ought to remember the kinds of increases his government had to introduce during a very difficult economic time during the 1980s, and certainly now, in one of the worst recessions a government of Ontario has ever faced, in order to maintain and improve the progressive programs this government's agenda is dedicated to, modest increases of this kind have to be condoned. I think the taxpayers are prepared to support the government, knowing the benefits that flow from these kinds of modest increases.

Mr Sterling: I got a kick out of the member's remarks. He said from 1981 to 1985 the former government which I was a part of—the member baited me and I am taking the bait; I should not take the bait, but I am taking the bait—over four years we increased the gas tax by four cents, and because we did it in seven hits—seven times we increased the taxes over four years—he is complaining. But the real fact of the matter is we increased it four cents over four years.

What do we have in this government? A government that is increasing the tax by 3.4 cents in one year; 3.4 to 1 is the ratio of what they are doing with regard to the diesel—

Hon Mr Allen: Allowing for inflation, one and a half cents.

Mr Sterling: Okay. I will allow a little bit for inflation. I will give him 2.5 to 1 in terms of what they are doing as opposed to what we did over the four years. I do not like an increase in any taxes at all.

I might add that at that time our businesses in this province had many other tax advantages over other businesses. At that time our businesses in Ontario had a 10% advantage over businesses in Quebec in terms of corporate income taxes, and now we are operating at a negative. That has happened over the last five or six years since you and I were on the governing side, Mr Speaker. So there are a lot of other taxes which come into play, not only diesel taxes and all the rest of it.

I only can say to the member, why does he want to argue for an 85-cent dollar? This works against the poor and disadvantaged who have limited incomes,

fixed incomes and cannot stretch their dollars further, by lowering the value of the dollar.

Mr J. Wilson: I would pick up on what my honourable colleague has just said and respond to the member for London South, who talks about the federal government's macroeconomic policies. Being a member of the third party, I have the opportunity to sit back and look at both what the federal government is doing and what the provincial government is doing. I just ask the member for London South, if he does not like the federal government's macroeconomic policies—and I would agree with him; I do not necessarily like them either—why is his government repeating the mistakes of the federal government? Why is the NDP government insisting on such a high deficit? Why are they borrowing money from foreigners, which up until recently was driving up our interest rates and certainly is keeping the dollar high?

This is a party that did not believe in foreign ownership, but the Minister of Industry, Trade and Technology told us about an hour ago in this House that he is proud of the amount of foreign investment that has come into Ontario. It just makes me cry to think that the NDP candidate in Simcoe West must have misread his briefing notes during the last election, because he kept talking about how, "The foreigners own everything and we have to have Canadian companies and taxes have nothing to do with our competitiveness."

The Treasurer goes out every month and borrows billions of dollars from the Japanese—it was from the two Germanies, but they have withdrawn their money because of reunification and that is pushing up the dollar—and from Wall Street, from New York. They talk about foreign ownership being bad at one time and now it is good, I would say because of the macroeconomic policies of the federal government, which have this country open for business.

They cannot have it both ways. They cannot lecture us about foreign ownership and investment on the campaign trail and then try and use recent statistics here that show that foreign ownership and investment are good, whereas before they thought they were bad. I would be interested to know where they stand now on foreign ownership.

Hon Mr Philip: The honourable member talks about having it both ways. If you look at the competitiveness paper that was released by the federal government, that is having it both ways. They talk about the need to lower the deficit, yet this party, in its so-called competitiveness study today, talks about decreasing taxes, which of course only adds to the deficit they are trying to talk about.

The Acting Speaker: I want to remind the honourable minister to address the member for London South's comments.

Hon Mr Philip: The member for London South was fairly correct when he said that—

Interjections.

The Acting Speaker: Order.

1750

Hon Mr Philip: The honourable opposition member do not like to have the government tell the truth to the public.

Mr Sterling: On a point of order, Mr Speaker: The member is misleading the House.

The Acting Speaker: That I cannot accept. The honourable member for Carleton, please withdraw those remarks.

Mr Sterling: I will withdraw those remarks.

The Acting Speaker: Thank you, and that was not a point of order.

Hon Mr Philip: What is really misleading is the kind of government that would say, as the Mulroney government has done in its competitiveness paper, that one of the roads to economic prosperity is to increase research. When one looks at what it has done, the federal government's spending on research and development has dropped from 0.45% of the gross domestic product in 1986 to 0.39% in 1989. Ontario's research and development spending has increased in real terms 100% between 1986 and 1990.

Having it both ways then is for the federal Conservative government to say one thing and do exactly the opposite. That is exactly what the provincial Conservative governments have done in British Columbia and Saskatchewan. They are both out of power now because their economic policies do not work and they do not create jobs. That is why Ontario is attracting investment which the other provinces cannot attract and which the other provinces would love to attract.

Mr Winner: The member for Etobicoke-Rexdale is perfectly correct. The federal policies have forced the government to take corrective action, and what corrective action has the government taken? As the members opposite well know, 250,000 jobs have been lost as a result of this recession. Housing and car sales are down. It was incumbent upon this government to help replace some of those jobs lost as a result of federal policies: the high interest rate, the high dollar, the GST and the free trade agreement.

In response, jobs were created through an anti-recession fund and public spending was used to help ease us out of this recession. Certainly a number of illustrious economists have supported that approach to dealing with recession. Certainly the wage protection fund to protect laid-off workers costs money. Taking 120,000 low-income earners off the tax roll costs money. All these things may contribute to the deficit, but in the long run they put more money in the hands of taxpayers who have jobs created for them or low-income earners who cannot afford to pay the kind of taxes the federal government may demand from them.

Certainly the federal government capping the transfer payments has called for a lot more money to be spent by the province on health, education, social services and municipal government. These things cost money. When my friend across the House asks why we are emulating the federal government by increasing our deficit, certainly we can show a lot more positive economic consequences.

owing from our fiscal policy than the federal government can show for all its \$400 billion of deficit.

Mr Phillips: I am pleased to join the debate on the bill. I think there is, rightly so, a lot of focus on the job aspect of this. If we look at the various sectors that are feeling the most pinch in terms of job losses, and as I look at agriculture, manufacturing, construction, transportation, trade and finance, it is actually the transportation sector in this province that has seen the most significant decline in jobs. It is down over the last two years by around 15%. There is no question but that it is struggling more than any other sector.

There is no question also that right now, to add to its problems by putting up a major cost component of its business is just the final straw for it. All of us appreciate this is not the only problem it has, but if you are running one of those businesses right now and you are faced with another blow, it can very well be the straw that breaks the camel's back.

I accept that firms that come into Ontario from across the border and attempt to ship here—we have a way of charging them the same price. But as the member for Carleton quite correctly pointed out, and this is an important point for all of us to realize, I do not think there is a manufacturing operation in Ontario that is not right now doing its analysis on where it wants to be for the future. I do not think, if we go and see the manufacturing operations in any of our ridings, they are not doing or have not already done the analysis of where they are going in the future. Any manufacturing operation worth its salt has an awful lot of capital investment to keep its equipment and its technology up to date, and as it looks at those investments it says, "Where do I want those investments to be?"

As the member for Carleton said, transportation is a major component for all our manufacturing sector. If they look at the analysis of their costs down the road and where they are going to be, yes, a US trucker coming in here is going to have to pay the same fuel, but that is not the issue any longer. The issue is, "Where are my costs of transportation going to be the most effective?"

At this particular time, if you are looking at things we should be doing, the Treasurer should be saying, "How do we stimulate the economy?" After all, as you know, the Treasurer spent \$7 billion, I think it was, of his budget on job creation or job retention. But here we are taking one of our most vibrant sectors, one of our most important industries—we are not creating jobs with this, we are not using the \$7 billion the Treasurer has allocated for jobs, we are giving jobs out.

The point I would like to emphasize is that our manufacturing sector is looking right now at where it wants to be for the future, where it is going to survive in the future.

There is no manufacturing operation in this province of which transportation is not an important element, and here they look at a 30% increase in fuel costs over the next few months. We cannot deny that this is going to be a significant issue for our transportation sector. I repeat, I am not saying this is the only problem facing our transportation sector; that is nonsense, there are lots of problems facing it. But any of us who have been in business—and I guess in one way or another virtually all of us have at one point in our careers—will appreciate that for an average business looking at perhaps another \$4,000 cost, it can be extremely significant.

I guess what surprises our transportation sector is that the election took place about a year ago and there was an NDP plan at the time for managing the economy. If we look at the various tax considerations they were looking at, diesel fuel certainly was not one of them. They were looking at minimum corporate tax and other things, but it was not fuel they expected to see.

I see you are getting a little anxious, Mr Speaker, and seeing that it is almost 6 of the clock, perhaps I should move adjournment of the debate.

The Acting Speaker: That is not necessary, but the honourable member for Scarborough-Agincourt will have the floor when we next debate Bill 85. I would now like to call on the honourable government House leader for our schedule for next week.

BUSINESS OF THE HOUSE

Hon Mr Cooke: Pursuant to standing order 53, I would like to indicate the business of the House for the coming week.

On Monday, November 4, we will begin second reading of Bill 126, the Electronic Registration Act, Bill 131, the Fire Marshals Amendment Act, and Bill 135, the Ontario Medical Association Dues Act.

On Tuesday, November 5, we will deal with second reading of Bill 76, the Fraudulent Debtors Arrest Repeal Act, Bill 75, the Law Society Amendment Act, and Bill 42, the Arbitration Act.

On Wednesday, November 6, we will resume the adjourned second-reading debate of Bill 85, the Fuel Tax Amendment Act.

On Thursday, November 7, in the morning, we will deal with private members' business ballot item 43, standing in the name of the member for Lincoln, and number 44 standing in the name of the member for Nepean. In the afternoon, we will continue the second-reading debate on Bill 85, followed by Bill 86, the Gasoline Tax Amendment Act.

The House adjourned at 1800.

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor/Lieutenant-gouverneur: Hon/L'hon Lincoln M. Alexander, PC, QC/CP, CR

Speaker/Président: Hon/L'hon David Warner

Clerk/Greffier: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees/Greffier adjoint et Greffier des comités: Smirle Forsyth

Clerk Assistant and Clerk of Journals/Greffier adjoint et Greffier des journaux: Alex D. McFedries

Sergeant at Arms/Sergent d'armes: Thomas Stelling

Abel, Donald (Wentworth North/-Nord ND) government whip/
Whip du gouvernement

Akande, Zanana (St Andrew-St Patrick ND)

Allen, Hon/L'hon Richard (Hamilton West/-Ouest ND)
Minister of Colleges and Universities, Minister of Skills
Development/Ministre des Collèges et Universités,
ministre de la Formation professionnelle

Arnott, Ted (Wellington PC)

Beer, Charles (York North/-Nord L)

Bisson, Gilles (Cochrane South/-Sud ND) PA to Minister of
Northern Development and Mines; PA to minister
responsible for francophone affairs; Vice-Chair, select
committee on Ontario in Confederation/
Ap du ministre du Développement du Nord et des Mines,
ap du ministre délégué aux Affaires francophones,
vice-président du Comité spécial sur le rôle de l'Ontario
au sein de la Confédération

Boyd, Hon/L'hon Marion (London Centre/-Centre ND)
Minister of Community and Social Services, minister
responsible for women's issues/Ministre des Services
sociaux et communautaires, ministre déléguée à la
Condition féminine

Bradley, James J. (St Catharines L) opposition House leader/
Chef parlementaire de l'opposition

Brown, Michael A. (Algoma-Manitoulin L) Vice-Chair, standing
committee on general government/Vice-Président du
Comité permanent des affaires gouvernementales

Buchanan, Hon/L'hon Elmer (Hastings-Peterborough ND)
Minister of Agriculture and Food/Ministre de
l'Agriculture et de l'Alimentation

Callahan, Robert V. (Brampton South/-Sud L) Chair, standing
committee on public accounts/Président du Comité
permanent des comptes publics

Caplan, Elinor (Oriole L) Chair, standing committee on social
development/Présidente du Comité permanent des affaires
sociales

Carr, Gary (Oakville South/-Sud PC)

Carter, Jenny (Peterborough ND) PA to Minister of
Citizenship, responsible for human rights, disability
issues, seniors' issues and race relations/Ap de la ministre
des Affaires civiques, déléguée aux Droits de la personne,
aux Affaires des personnes handicapées, aux Affaires des
personnes âgées et aux Relations interraciales

Charlton, Hon/L'hon Brian (Hamilton Mountain ND)
Minister of Financial Institutions/Ministre des Institutions
financières

Chiarelli, Robert (Ottawa West/-Ouest L)

Christopherson, David (Hamilton Centre/-Centre ND)
PA to Treasurer of Ontario and Minister of Economics/
Ap du Trésorier de l'Ontario et du ministre de l'Économie

Churley, Hon/L'hon Marilyn (Riverdale ND) Minister of
Consumer and Commercial Relations/Ministre de la
Consommation et du Commerce

Cleary, John C. (Cornwall L)

Conway, Sean G. (Renfrew North/-Nord L)

Cooke, Hon/L'hon David (Windsor-Riverside ND) Minister
of Municipal Affairs, government House leader/
Ministre des Affaires municipales, chef parlementaire du
gouvernement

Cooper, Mike (Kitchener-Wilmot ND) Chair, standing committee
on administration of justice; deputy government whip/
Président du Comité permanent de l'administration de la
justice, whip adjoint du gouvernement

Coppen, Hon/L'hon Shirley (Niagara South/-Sud ND)
Minister without Portfolio, chief government whip/
Ministre sans portefeuille, whip en chef du gouvernement

Cordiano, Joseph (Lawrence L) Vice-Chair, standing committee
on social development/Vice-Président du Comité permanent
des affaires sociales

Cousens, W. Donald (Markham PC)

Cunningham, Dianne (London North/-Nord PC) Progressive
Conservative chief whip/Whip en chef du Parti
progressiste-conservateur

Curling, Alvin (Scarborough North/-Nord L) opposition deputy
whip/whip adjoint de l'opposition

Dadamo, George (Windsor-Sandwich ND) PA to Minister of
Transportation/Ap du ministre des Transports

Daigeler, Hans (Nepean L)

Drainville, Dennis (Victoria-Haliburton ND) PA to Minister of
Municipal Affairs; Chair, select committee on Ontario in
Confederation/Ap du ministre des Affaires municipales,
président du Comité spécial sur le rôle de l'Ontario au sein
de la Confédération

Duignan, Noel (Halton North/-Nord ND) Chair, standing
committee on the Legislative Assembly; Co-Chair, special
committee on the parliamentary precinct/Président du
Comité permanent de l'Assemblée législative, coprésident
du Comité extraordinaire de l'enceinte parlementaire

Elston, Murray J. (Bruce L) Leader of the Official Opposition/
Chef de l'opposition officielle

Eves, Ernie (Parry Sound PC) Progressive Conservative House
leader/Chef parlementaire du Parti progressiste-conservateur

Farnan, Mike (Cambridge ND) First Deputy Chair of the
Committee of the Whole House/Premier vice-président du
Comité plénier de l'Assemblée législative

Fawcett, Joan M. (Northumberland L)

Ferguson, Hon/L'hon Will (Kitchener ND) Minister of
Energy/Ministre de l'Énergie

Fletcher, Derek (Guelph ND) PA to Minister of Consumer and
Commercial Relations/Ap du ministre de la Consommation
et du Commerce

Frankford, Robert (Scarborough East/-Est ND)

Gigantes, Hon/L'hon Evelyn (Ottawa Centre/-Centre ND)
Minister of Housing/Ministre du Logement

Grandmaître, Bernard C. (Ottawa East/-Est L)

Grier, Hon/L'hon Ruth A. (Etobicoke-Lakeshore ND)
Minister of the Environment, minister responsible for the
greater Toronto area/Ministre de l'Environnement, ministre
responsable du Bureau de la région du grand Toronto

aeck, Christel (St. Catharines-Brock ND)
ampton, Hon/L'hon Howard (Rainy River ND) Attorney General/Procureur général
 ansen, Ron (Lincoln ND) Chair, standing committee on finance and economic affairs/Président du Comité permanent des finances et des affaires économiques
 arnick, Charles (Willowdale PC)
 arrington, Margaret H. (Niagara Falls ND) PA to Minister of Housing/Ap du ministre du Logement
 arris, Michael (Nipissing PC) leader of the Progressive Conservative Party/Chef du Parti progressiste-conservateur
aslam, Hon/L'hon Karen (Perth ND) Minister of Culture and Communications/Ministre de la Culture et des Communications
 ayes, Pat (Essex-Kent ND) PA to Minister of Agriculture and Food (agriculture)/Ap du ministre de l'Agriculture et de l'Alimentation (agriculture)
 enderson, D. James (Etobicoke-Humber L)
 ope, Randy R. (Chatham-Kent ND) PA to Minister of Community and Social Services/Ap du ministre des Services sociaux et communautaires
 uget, Bob (Sarnia ND) PA to Minister of Energy/Ap du ministre de l'Énergie
 Jackson, Cameron (Burlington South/-Sud PC) Chair, standing committee on estimates/Président du Comité permanent des budgets des dépenses
 amison, Norm (Norfolk ND) PA to Minister of Industry, Trade and Technology, responsible for small business/Ap du ministre de l'Industrie, du Commerce et de la Technologie, délégué aux Affaires des petites entreprises
 ohnson, Paul R. (Prince Edward-Lennox-South Hastings/Prince-Edward-Lennox-Hastings-Sud ND) PA to Minister of Revenue/Ap du ministre du Revenu
 ordan, W. Leo (Lanark-Renfrew PC)
 lopp, Paul (Huron ND) PA to Minister of Agriculture and Food (food)/Ap du ministre de l'Agriculture et de l'Alimentation (alimentation)
 kormos, Peter (Welland-Thorold ND) Chair, standing committee on resources development/Président du Comité permanent du développement des ressources
 kwinter, Monte (Wilson Heights L)
Rankin, Hon/L'hon Frances (Beaches-Woodbine ND) Minister of Health, minister responsible for the provincial anti-drug strategy/Ministre de la Santé, ministre déléguée à la Stratégie antidrogue provinciale
Laughren, Hon/L'hon Floyd (Nickel Belt ND) Deputy Premier, Treasurer of Ontario and Minister of Economics/Vice-premier ministre, Trésorier de l'Ontario et ministre de l'Économie
 Lessard, Wayne (Windsor-Walkerville ND) PA to Minister of Colleges and Universities/Ap du ministre des Collèges et Universités
Mackenzie, Hon/L'hon Bob (Hamilton East/-Est ND) Minister of Labour/Ministre du Travail
 MacKinnon, Ellen (Lambton ND) Vice-Chair, standing committee on regulations and private bills/Vice-Présidente du Comité permanent des règlements et projets de loi privés
 Mahoney, Steven W. (Mississauga West/-Ouest L) chief opposition whip/Whip en chef de l'opposition
 Malkowski, Gary (York East/-Est ND) PA to Minister of Citizenship, responsible for human rights, disability issues, seniors' issues and race relations/Ap de la ministre des Affaires civiques, déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
 Mammoliti, George (Yorkview ND) PA to minister responsible for the provincial anti-drug strategy/Ap de la ministre déléguée à la Stratégie antidrogue provinciale
 Mancini, Remo (Essex South/-Sud L) Chair, standing committee on general government/Président du Comité permanent des affaires gouvernementales
 Marchese, Rosario (Fort York ND) PA to the Premier, PA to Minister of Intergovernmental Affairs/Ap du premier ministre, ap du ministre des Affaires intergouvernementales
 Marland, Margaret (Mississauga South/-Sud PC) Vice-Chair, standing committee on estimates/Vice-Présidente du Comité permanent des budgets des dépenses
Martel, Hon/L'hon Shelley (Sudbury East/-Est ND) Minister of Northern Development and Mines/Ministre du Développement du Nord et des Mines
 Martin, Tony (Sault Ste Marie/Sault-Sainte-Marie ND) PA to Minister of Education/Ap de la ministre de l'Éducation
 Mathysen, Irene (Middlesex ND) PA to Minister of the Environment, government whip/Ap de la ministre de l'Environnement, whip du gouvernement
 McClelland, Carman (Brampton North/-Nord L)
 McGuinty, Dalton J.P. (Ottawa South/-Sud L)
 McLean, Allan K. (Simcoe East/-Est PC) Vice-Chair, standing committee on government agencies/Vice-Président du Comité permanent des organismes gouvernementaux
 McLeod, Lyn (Fort William L)
 Miclash, Frank (Kenora L) opposition chief whip/Whip en chef de l'opposition
 Mills, Gord (Durham East/-Est ND) PA to Solicitor General/Ap du Solliciteur général
 Morin, Gilles E. (Carleton East/-Est L) Deputy Speaker and Chair of the Committee of the Whole House/Vice-Président et Président du Comité plénier de l'Assemblée législative
 Morrow, Mark (Wentworth East/-Est ND) Chair, standing committee on the Ombudsman; Vice-Chair, standing committee on administration of justice/Président du Comité permanent de l'ombudsman, vice-président du Comité permanent de l'administration de la justice
 Murdoch, Bill (Grey PC)
 Murdock, Sharon (Sudbury ND) PA to Minister of Labour/Ap du ministre du Travail
North, Hon/L'hon Peter (Elgin ND) Minister of Tourism and Recreation/Ministre du Tourisme et des Loisirs
 O'Connor, Lawrence (Durham-York ND) PA to minister responsible for the greater Toronto area/Ap de la ministre responsable du Bureau de la région du grand Toronto
 Offer, Steven (Mississauga North/-Nord L)
 O'Neil, Hugh P. (Quinte L)
 O'Neill, Yvonne (Ottawa-Rideau L) opposition deputy whip/Whip adjointe de l'opposition
 Owens, Stephen (Scarborough Centre/-Centre ND) PA to Minister of Financial Institutions, government whip/Ap du ministre des Institutions financières, whip du gouvernement
 Perruzza, Anthony (Downsview ND) PA to Minister for Skills Development/Ap du ministre de la Formation professionnelle
Philip, Hon/L'hon Ed (Etobicoke-Rexdale ND) Minister of Industry, Trade and Technology/Ministre de l'Industrie, du Commerce et de la Technologie

- Phillips, Gerry (Scarborough-Agincourt L)
- Pilkey, Hon/L'hon Allan** (Oshawa ND) Solicitor General,
Minister of Correctional Services/Solliciteur général,
ministre des Services correctionnels
- Poirier, Jean (Prescott and Russell/Prescott et Russell L)
- Poole, Dianne (Eglinton L) Vice-Chair, standing committee on
public accounts/Vice-Présidente du comité permanent des
comptes publics
- Pouliot, Hon/L'hon Gilles** (Lake Nipigon/Lac-Nipigon ND)
Minister of Transportation, minister responsible for
francophone affairs/Ministre du Transport, ministre
délégué aux Affaires francophones
- Rae, Hon/L'hon Bob** (York South/-Sud ND) Premier,
Minister of Intergovernmental Affairs/Premier ministre,
ministre des Affaires intergouvernementales
- Ramsay, David (Timiskaming L)
- Rizzo, Tony (Oakwood IND)
- Runciman, Robert W. (Leeds-Grenville PC) Chair, standing
committee on government agencies/Président du Comité
permanent des organismes gouvernementaux
- Ruprecht, Tony (Parkdale L)
- Scott, Ian G. (St. George-St. David L)
- Silipo, Hon/L'hon Tony** (Dovercourt ND) Chairman of the
Management Board of Cabinet, Minister of
Education/Président du Conseil de gestion du
gouvernement, ministre de l'Éducation
- Sola, John (Mississauga East/-Est L)
- Sorbara, Gregory S. (York Centre/-Centre L)
- Sterling, Norman W. (Carleton PC)
- Stockwell, Chris (Etobicoke West/-Ouest PC)
- Sullivan, Barbara (Halton Centre/-Centre L)
- Sutherland, Kimble (Oxford ND) PA to Chairman of the
Management Board of Cabinet; Vice-Chair, standing
committee on finance and economic affairs/Ap du
président du Conseil de gestion du gouvernement,
vice-président du Comité permanent des finances et des
affaires économiques
- Swarbrick, Anne (Scarborough West/-Ouest ND)
- Tilson, David (Dufferin-Peel PC)
- Turnbull, David (York Mills PC)
- Villeneuve, Noble (S-D-G & East Grenville/S.-D.-G. &
Grenville-Est PC) Second Deputy Chair of the Committee
of the Whole House/Deuxième vice-président du Comité
plénier de l'Assemblée législative
- Ward, Brad (Brantford ND) PA to Minister of Industry, Trade
and Technology with responsibility for trade and technology/
Ap du ministre de l'Industrie, du Commerce et de la
Technologie et délégué au Commerce et à la Technologie
- Ward, Margery (Don Mills ND) PA to Minister of Government
Services/Ap du ministre des Services gouvernementaux
- Wark-Martyn, Hon/L'hon Shelley** (Port Arthur ND) Minister
of Revenue/Ministre du Revenu
- Warner, Hon/L'hon David** (Scarborough-Ellesmere ND)
Speaker; Co-Chair, special committee on the
parliamentary precinct/Président, coprésident du Comité
extraordinaire de l'enceinte parlementaire
- Waters, Daniel (Muskoka-Georgian Bay/Muskoka-Baie-
Georgienne ND) PA to Minister of Tourism and Recreation;
Vice-Chair, standing committee on resources developmen
Ap du ministre du Tourisme et des Loisirs, vice-président
du Comité permanent du développement des ressources
- Wessinger, Paul (Simcoe Centre/-Centre ND) PA to Minister
of Health/Ap de la ministre de la Santé
- White, Drummond (Durham Centre/-Centre ND) Chair,
standing committee on regulations and private bills/
Président du Comité permanent des règlements et projets
de loi privés
- Wildman, Hon/L'hon Bud** (Algoma ND) Minister of Natural
Resources, minister responsible for native affairs/Ministre
des Ressources naturelles, ministre délégué aux Affaires
autochtones
- Wilson, Hon/L'hon Fred** (Frontenac-Addington ND) Minister
of Government Services/Ministre des Services
gouvernementaux
- Wilson, Gary (Kingston and The Islands/Kingston et Les Îles ND)
PA to Minister of Culture and Communications/
Ap de la ministre de la Culture et des Communications
- Wilson, Jim (Simcoe West/-Ouest PC)
- Winninger, David (London South/-Sud ND) PA to Attorney
General, PA to minister responsible for native affairs/Ap
du Procureur général, ap du ministre délégué aux Affaires
autochtones
- Wiseman, Jim (Durham West/Durham-Ouest ND) PA to
Minister of Correctional Services/Ap du ministre des
Services correctionnels
- Witmer, Elizabeth (Waterloo North/-Nord PC)
- Wood, Len (Cochrane North/-Nord ND) PA to Minister of
Natural Resources/Ap du ministre des Ressources naturelles
- Ziemba, Hon/L'hon Elaine** (High Park-Swansea ND)
Minister of Citizenship, minister responsible for human
rights, disability issues, seniors' issues and race
relations/Ministre des Affaires civiques, déléguée aux
Droits de la personne, aux Affaires des personnes
handicapées, aux Affaires des personnes âgées et aux
Relations interraciales

**COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS DE L'ASSEMBLÉE LÉGISLATIVE**

STANDING COMMITTEES/COMITÉS PERMANENTS

Administration of justice/Administration de la justice

Chair/Président: Mike Cooper
Vice-Chair/Vice-Président: Mark Morrow
Members/Membres: Gary Carr, Jenny Carter, Robert Chiarelli, Derek Fletcher, Charles Harnick, Irene Mathyssen, Gordon Mills, Ron Poirier, Gregory S. Sorbara, David Winninger
Clerk/Greffière: Lisa Freedman

Estimates/Budgets des dépenses

Chair/Président: Cameron Jackson
Vice-Chair/Vice-Présidente: Margaret Marland
Members/Membres: Gary Carr, Hans Daigeler, Mike Farnan, Paul R. Johnson, Wayne Lessard, Dalton McGuinty, Lyn McLeod, Lawrence O'Connor, Anthony Perruzza, Gary Wilson
Clerk/Greffier: Franco Carrozza

Finance and economic affairs/

Finance et affaires économiques

Chair/Président: Ron Hansen
Vice-Chair/Vice-Président: Kimble Sutherland
Members/Membres: David Christopherson, Norman Jamison, Monte Kwinter, Gerry Phillips, Norman W. Sterling, Chris Stockwell, Barbara Sullivan, Brad Ward, Margery Ward, Ron Wiseman
Clerk/Greffier: Todd Decker

General government/Affaires gouvernementales

Chair/Président: Remo Mancini
Vice-Chair/Vice-Président: Michael A. Brown
Members/Membres: Donald Abel, Gilles Bisson, Dennis Drainville, Margaret H. Harrington, George Mammoliti, Rosario Marchese, Bill Murdoch, Yvonne O'Neill, Ian G. Scott, David Turnbull
Clerk/Greffière: Deborah Deller

Government agencies/Organismes gouvernementaux

Chair/Président: Robert W. Runciman
Vice-Chair/Vice-Président: Allan K. McLean
Members/Membres: James J. Bradley, Jenny Carter, Robert Frankford, Bernard Grandmaître, Pat Hayes, Rosario Marchese, Dalton McGuinty, Chris Stockwell, Daniel Waters, Ron Wiseman
Clerk/Greffier: Douglas Arnott

Legislative Assembly/Assemblée législative

Chair/Président: Noel Duignan
Vice-Chair/Vice-Président: Vacant
Members/Membres: Mike Cooper, Robert Frankford, Norman Jamison, Margaret Marland, Irene Mathyssen, Norman McClelland, Gilles E. Morin, Hugh P. O'Neil, Stephen Owens, Noble Villeneuve
Clerk/Greffier: Douglas Arnott

Ombudsman/Ombudsman

Chair/Président: Mark Morrow
Vice-Chair/Vice-Président: Vacant
Members/Membres: Alvin Curling, Joan M. Fawcett, Christel Haeck, D. James Henderson, Peter Kormos, George Mammoliti, Bill Murdoch, Margery Ward, Paul Wessinger, Jim Wilson, Elizabeth Witmer
Clerk/Greffier: Franco Carrozza

Public accounts/Comptes publics

Chair/Président: Robert V. Callahan
Vice-Chair/Vice-Présidente: Dianne Poole
Members/Membres: James J. Bradley, Sean G. Conway, W. Donald Cousens, Christel Haeck, Pat Hayes, Paul R. Johnson, Ellen MacKinnon, Lawrence O'Connor, David Tilson, Drummond White
Clerk/Greffière: Tannis Manikel

Regulations and private bills/

Règlements et projets de loi privés

Chair/Président: Drummond White
Vice-Chair/Vice-Présidente: Ellen MacKinnon
Members/Membres: Donald Abel, Mike Farnan, Derek Fletcher, Leo Jordan, Frank Miclash, Tony Ruprecht, John Sola, Kimble Sutherland, Jim Wilson
Clerk/Greffier: Todd Decker

Resources development/Développement des ressources

Chair/Président: Peter Kormos
Vice-Chair/Vice-Président: Daniel Waters
Members/Membres: Ted Arnott, John C. Cleary, George Dadamo, Bob Huget, Leo Jordan, Paul Klopp, Sharon Murdock, Steven Offer, David Ramsay, Len Wood
Clerk/Greffier: Harold Brown

Social development/Affaires sociales

Chair/Présidente: Elinor Caplan
Vice-Chair/Vice-Président: Joseph Cordiano
Members/Membres: Charles Beer, Christel Haeck, Randy R. Hope, Gary Malkowski, Tony Martin, Lyn McLeod, Stephen Owens, Paul Wessinger, Jim Wilson, Elizabeth Witmer
Clerk/Greffière: Lynn Mellor

SELECT COMMITTEE/COMITÉ SPÉCIAL

Ontario in Confederation/

Rôle de l'Ontario au sein de la Confédération

Chair/Président: Dennis Drainville
Vice-Chair/Vice-Président: Gilles Bisson
Members/Membres: Jenny Carter, Alvin Curling, Ernie Eves, Charles Harnick, Margaret H. Harrington, Gary Malkowski, Irene Mathyssen, Steven Offer, Yvonne O'Neill, David Winninger
Clerk/Greffier: Harold Brown

SPECIAL COMMITTEE/COMITÉ EXTRAORDINAIRE

Parliamentary precinct/Enceinte parlementaire

Co-Chair/Coprésident: David Warner
Co-Chair/Coprésident: Noel Duignan
Members/Membres: Dianne Cunningham, Remo Mancini, Kimble Sutherland
Clerk/Greffier: Smirle Forsyth

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Legislative Assembly
of Ontario

1st Session, 35th Parliament

Official Report of Debates (Hansard)

Monday 4 November 1991

Assemblée législative
de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le lundi 4 novembre 1991

Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Under the new system, the sequence of numbering started in January 1991 will end with the final House and committee sittings of the present First Session. A new sequence will begin on the opening day of the Second Session, and each succeeding session, which will be issue 1 and begin with page 1. Committee reports likewise will be numbered from the first sitting of each committee in a parliamentary session.

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Avec le nouveau système, la numérotation commencée en janvier 1991 s'arrêtera à la dernière séance de la Chambre et des comités de l'actuelle première session. Une nouvelle série commencera le jour de l'ouverture de la deuxième session et des sessions suivantes : numéro 1 et page 1. Les rapports des comités seront également numérotés à partir de la première séance de chaque comité pour une session parlementaire donnée.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 4 November 1991

The House met at 1332.

Prayers.

REPORT OF COMMISSION ON ELECTION FINANCES

The Speaker: I beg to inform the House I have today laid upon the table the 16th annual report of the Commission on Election Finances for the year 1990.

MEMBERS' STATEMENTS

APICULTURE INSPECTION

Mrs Fawcett: In trying to keep runaway spending camouflaged, the Premier's government is again sending the wrong message to a segment of the agricultural industry, namely, the Ontario beekeepers. In what is termed by some to be a cost-saving measure, the Minister of Agriculture and Food has terminated provincial bee inspectors. Furthermore, the apiculture inspection program will be cut by 10% each year for the next four years, just at a crucial time, when the honey bee tracheal mite, varroa mite and africanized killer bees are threatening the industry.

Fred Lewis, a bee inspector for 40 years, came into my office with Bill Cherry, who is also a member of the Ontario Beekeepers' Association. They explained to me how, over the past years, many people have worked diligently to keep the province clean of diseases that have wiped out hives in the United States. When hives become infected, inspectors order all bees to be destroyed and records are kept so that controls are maintained.

Now, with the cutbacks the ministry is planning, the 100% to 80% losses the US beekeepers are experiencing will soon spread to Ontario.

As always with agriculture, there is a devastating side-effect. Bee shortage equals pollination shortage equals fruit and vegetable shortage. For Northumberland, the heart of apple country, members can imagine the devastation that could happen, to say nothing of all other crops that depend on pollination by bees. In Ontario that is \$65 million worth of agricultural crops.

I ask the minister to please reconsider this decision, reinstate the bee inspectors and allow the province to maintain a clean beekeeping industry.

MIGRAINE AWARENESS MONTH

Mr J. Wilson: I would like to remind all members of the Legislature that November is Migraine Awareness Month in Ontario and across Canada.

The purpose of this month is to raise awareness for a debilitating medical disorder that is often misunderstood by the public at large. Almost 3.2 million Canadians over the age of 15 suffer from some form of migraine, and some 77% of migraine sufferers have to restrict their normal daily activities because of an attack. The economic impact of this medical disorder is profound. The occurrence of migraine in Canada results in an annual workplace

productivity loss of almost \$500 million, and almost four million workdays a year in Canada are shortened or lost because of this disorder.

While the exact cause of what triggers a migraine is still being debated, we do know no universally effective medication is available for migraine. There is a tremendous need for effective treatment and enhanced understanding of this serious medical disorder. It is essential that we assist migraine sufferers so they can regain control over their lives and recognize exactly what triggers their attacks.

I would urge all members to assist the Migraine Foundation to raise awareness for this seriously misunderstood health problem. During Migraine Awareness Month, the Migraine Foundation will be holding numerous education activities and seminars to promote awareness of migraine. Their goal is to produce a greater level of sensitivity and appreciation of the impact these attacks have on its sufferers, their families and society as a whole.

NATIONAL 4-H WEEK

Mrs MacKinnon: The 4-H program has had its roots in Canada since 1913 and in the county of Lambton for some 76 years. Originally potato, livestock, sewing, food and gardening clubs were formed by young people and the clubs were known as Boys and Girls Clubs until 1952, when the name "4-H" was adopted. The four Hs stand for head, heart, hands and health; 4-H is worldwide and here in Ontario we have 22,000 4-H members and over 60,000 in Canada. This is part of the seven million 4-Hers in 80 different countries around the world.

The 4-H motto, "Learn to do by doing," means these young people, aged 12 to 21, learn by listening, studying, seeing and most important, by actually doing. Leaders and parents, all volunteers, assist but members practise the skills taught to them, such as self-confidence, responsibility, leadership and communication. "Learn to do by doing" means not having to sit on the sidelines, but rather hands-on participation.

In recognition of National 4-H Week, November 4 through November 10, I say to all the pledge of the 4-H program:

My head to clearer thinking

My heart to greater loyalty

My hands to larger service

My health to better living

For my club, my community and my country.

1340

ISAAC AKANDE

Mr Curling: On Friday, November 1, the community paid tribute to Dr Isaac Akande, an individual who has been extremely active in the African and black community in our province.

Dr Akande had been known as an individual who is a community stalwart, a very compassionate man, a very

caring and devoted individual. There were individuals there who have been so moved by the work Dr Akande has been doing in this country over the last 26 years that he has become a role model for us all. As he stayed in his hospital bed and took the accolades with such comfort and in such a caring way, people were moved that he continued to give leadership in our community.

Dr Akande, who as members know has been in the papers a couple of days, died last night in his home, leaving his wife and three children. We know the community will miss him. We know that what he has left is a legacy that will be continued for years as a role model not only to the black community, not only to the African community, but to us all in this province.

AGRICULTURAL LAND

Mr B. Murdoch: Last Thursday, the Minister of Agriculture and Food stood in this House and announced that he did not care that the region of Niagara had decided to allow limited farm severances because he was going to send each and every request to the Ontario Municipal Board, whether anyone liked it or not.

I guess we can be grateful that this announcement was made in the House, because the Minister of Agriculture and Food is finally putting into words what the ministries of Municipal Affairs, Natural Resources and the Environment have been doing for some time, at least in Grey. He has finally articulated this government's policy of shunting problems off to the OMB instead of facing them and dealing with them.

As an example of the NDP's refusal to consult with the people, I can tell members that Grey has been trying for more than a year to amend its official plan. Rather than deal with the amendment, the ministry chooses to send each case individually to the OMB.

One would wonder how much the OMB can bear. The present backlog is 18 months but, as this government continues to evade and ignore the people by hiding behind the OMB, I can only imagine the bureaucratic mess in which we will all find ourselves.

When will this government learn that local councils understand local situations far better than any bureaucrat from another area of the province? To ignore problems by sending them off to the OMB is senseless. If the government would back off and meet with the people, it would save thousands of dollars on hearings which could be used to aid farmers or assist municipalities and further provincial-local goodwill.

If the OMB fails to do what the government wants but cannot bring itself to do, who will do it for it, the OPP?

HIGH SCHOOL STUDENTS

Mr O'Connor: In times of frustration and feelings of hopelessness, there are signs of renewed faith emanating from my riding.

Last spring, I requested that the high schools in my riding send me names of two outstanding students. Since then, I have come to know a little bit about these students and how important they are to their schools and their communities.

In Sutton, Alison Armitage and Tammy Holtrop were described by the teaching staff as people who have shown leadership. They have always been there when needed and have worked behind the scenes.

In Stouffville, Todd Snooks and Lianne Nichols were both very involved in all aspects of school life. They have dedicated their time to athletics and the Bar and Letter, an achievement program.

In Uxbridge, Amy Barton and Cathy Krasnik have been involved as outstanding students in their own way. Amy has been involved with athletics and student government and has distinguished herself as an Ontario scholar. Cathy spends her time in academics, studying and being the one with the highest marks.

Two weeks ago, Rhonda Richards, a student from Sutton High School, one of the high schools in my riding, came to see me. She was talking about reviewing Canada's future. She was part of a group that discussed this.

We often have an image of today's youth being tired of constitutional debate, yet I found young people concerned about their country and with a willingness to work toward solutions.

ELECTORAL DISTRICT OF BRANT-HALDIMAND

Mr Bradley: The people of the riding of Brant-Haldimand have been without representation since last July 31. The office of my leader has generously provided staff and a 1-800 telephone line to the people of the riding who need assistance in dealing with this government, but we all know that is no replacement for the day-to-day hands-on work and advocacy of an MPP.

The Premier was informed last June of the previous member's intention to resign. He could have put in place at that time the mechanisms for an expeditious and responsible by-election call. Instead, he has dithered. Rather than attend to the people of Brant-Haldimand's practical need for representation, he has ignored their democratic rights and sent his NDP mercenaries to British Columbia and Saskatchewan to prop up NDP election efforts in those two jurisdictions.

I want to remind the Premier that today, Monday November 4, represents his last opportunity to call the by-election prior to Christmas. Failure to do so will result in an unnecessary and irresponsible delay, an election in the dead of winter, possibly inclement weather and ultimately the possible denial of the opportunity and the right of many seniors and others to cast their ballot.

I urge the Premier to stop playing games with the people of Brant-Haldimand. He should call this by-election now and let the democratic rights of the people of Brant-Haldimand prevail.

HEALTH INSURANCE

Mr Jackson: The Ministry of Health has gone on record as telling out-of-country travellers in Ontario that it has some good news for them and some bad news. The good news is that in August the ministry said its updated Guide to Ontario Health Insurance booklet would be available in a matter of weeks. The bad news is that, despite the fact that there are a number of changes in OHIP coverage,

fective October 1, we are still looking at several months before the 31-page booklet can be revised, published and distributed.

The Minister of Health, however, was anything but slow when she went ahead and cut the amount of OHIP coverage that seniors and other travellers would be eligible for this winter. There has also been a rapid succession of ministry newspaper ads and press releases telling travellers they should obtain extra health coverage before leaving Ontario.

When it came to announcing its out-of-country health insurance, the private sector, on the other hand, has been up and running. Ontario Blue Cross revised its plan as of September. The Canadian Life and Health Insurance Association has already updated its booklet, Health Insurance for Travellers, which is now available to consumers.

Thousands of Ontario senior citizens and others who plan to travel out of country this winter have no way of accessing the important government health insurance information they need in time to make the necessary arrangements to protect themselves and their families during these trips. This NDP Health minister has once again demonstrated that the bad news is that there is never any good news for Ontario seniors, who have no place on the premier's list of priorities.

ENVIRONMENTAL PROTECTION

Mr Farnan: I would like to inform the members of the House about an exciting and innovative project that has been launched in Cambridge: the Canadian Organization for the Preservation and Protection of Environmental Resources. The COPPER Trust Foundation was formally established in 1989 and plans to build an environmental education and innovation centre. The centre will have interactive displays, a conference centre, an environmental resource centre, an audit panel and research facility and a separately sponsored trade fair.

I would like to recognize Ronald Blaxley, Fred McGarry, Wayne Joslin, Carl Furtado, Vern Heaslip, Walter Pitman, Mac Coutts, Bonnie Walter, Ron Smith, Charles Cipolla, Sally Thorsen and Chuck Yates for taking leadership roles in this project.

Support is being drawn from all levels of government. The city of Cambridge has shown its commitment by reserving 21 acres of land on Highway 401 at Townline Road pending feasibility of the project.

Currently the COPPER Trust Foundation is encouraging individuals and groups to donate those unrolled pennies that most of us collect in jars and dresser drawers to demonstrate our conviction and mobilize support from senior levels of government and the commercial sector. I would encourage all Cambridge residents—indeed, I would encourage all Ontario residents—to participate in this effort and thus demonstrate our concern for environmental issues.

VISITOR

The Speaker: I invite all members to welcome to our midst this afternoon, seated in the members' gallery east, a

member of the Alberta Legislative Assembly, Mr Jerry Doyle. Welcome.

1350

STATEMENTS BY THE MINISTRY

NORTHERN ONTARIO DEVELOPMENT DÉVELOPPEMENT DU NORD DE L'ONTARIO

Hon Miss Martel: I am pleased to make this statement today on behalf of the Ministry of Northern Development and Mines, the Treasurer, the Minister of Natural Resources and the Minister of Tourism and Recreation, as well as our counterparts at the federal level.

This morning in Sudbury, the northern Ontario development agreement—NODA for short—was signed by the governments of Canada and Ontario. NODA will invest a total of \$95 million in the northern economy and will help renew three key northern industries: forestry, mining and tourism. These industries have provided thousands of jobs for northerners and continue to contribute enormously to Ontario's growth and prosperity. The northern Ontario development agreement is dedicated to revitalizing, modernizing and expanding these key industries.

L'Entente de développement du nord de l'Ontario accorde beaucoup d'importance à la recherche et au développement. Notre gouvernement sait que la recherche et le développement de technologies, d'approches et de nouvelles stratégies sont des conditions essentielles au maintien à long terme de la vigueur de l'économie du nord de l'Ontario.

Fifty million dollars will be invested over the next four years to promote sustainable forestry in northern Ontario and will help Ontario support a broader range of jobs and opportunities in the northern woods industry. It will fund initiatives in policy development, improved forest research, aboriginal forestry and forest awareness, areas which are crucial to achieving our goal of sustainable forest management in Ontario.

Funds will also be applied to research and technology transfer programs, economic analyses, forestry demonstrations and integrated resource management, as well as a comprehensive program of communications and public information.

Thirty million dollars will be dedicated to six programs designed to help the mineral industry expand and diversify. Funds will be used to undertake a series of initiatives, including identifying geological environments favourable to the exploration of base metals; enhancing the competitiveness of the Ontario mining industry while addressing environmental concerns; improving private sector access to government mineral information files through information technology; examining opportunities for the industrial mineral sector and identifying potential sources for development; improving exploration technology, and increasing public and industry awareness of activities undertaken in support of the industry.

The tourism component of this agreement, worth \$15 million, contains six program areas: marketing, research, community marketing services and enhancement projects, human resources development, aboriginal tourism development and communications/evaluation.

Ces initiatives reconnaissent la volonté des intervenants de relever les normes d'emploi et les programmes de formation dans l'industrie touristique. Ces normes sont essentielles si nous voulons poursuivre le développement des services et accroître la qualité et la capacité concurrentielle de l'industrie touristique du nord de l'Ontario.

Forestry, mining and tourism form the foundation of the northern economy. These industries have for many years, and will for many more to come, put bread and butter on the tables of northern Ontario families. These industries must be protected. They must be nurtured. They must be retooled to deal with the pressures of the 1990s.

I am pleased, as we all should be, that this agreement was signed today. Our government recognizes that the challenge of rebuilding the economy in northern Ontario is one that must involve all levels of government, business, labour and industry. I am pleased that the federal government is joining us today in the important task of rebuilding the north.

WIFE ASSAULT PREVENTION MONTH

Hon Mrs Boyd: Today I am announcing the beginning of Wife Assault Prevention Month, with this year's theme, "No man has the right to assault a woman."

Research shows that one in five men living with a woman admits to using violence against her. This violence takes many forms, including slapping, throwing objects at her, beating her up, threatening her with a knife or gun and even using these weapons against her. In homes across this province, women of all ages, races and economic backgrounds face the very real threat of violence in our homes as part of our daily lives.

Violence against women continues to be the most shocking expression of the fact that men still have more privilege and power in our society. Some men—at least one out of five—use violence as a way of maintaining this power and control over the women with whom they live.

Wife assault is more than physical violence. Emotional and psychological abuse can destroy a woman's independence and self-esteem. These emotional scars may not be as visible as bruises, cuts and broken bones, but they can last much longer and, in the long run, prove a costly liability to our entire society.

This government sees wife assault and all other forms of violence against women as a major obstacle to the full equality of women in our province. How can women take on the many challenges of the outside world if we are not even safe within our own homes, within our own families? Our society will never be a fair and open one, one which can legitimately claim to offer equal opportunities to all its citizens, no matter which gender, as long as this gender-based crime is so widespread.

This year the government will spend almost \$70 million to help stop and prevent assault against women by their intimate partners. The Ontario women's directorate co-ordinates these wife assault initiatives, which include a variety of programs and services offered by 11 ministries. Shelters for women and children, supportive counselling, proactive criminal justice system measures and profes-

sional and public education are the major components of this government-wide effort to end wife assault.

Public education is absolutely essential to our strategy against wife assault. Victims of violence continue to need shelters and other support services, but unless we make a long-term investment in prevention, in changing attitudes, the abuse will continue relentlessly.

The government's public education activities focus on Wife Assault Prevention Month. This month's campaign is the sixth annual one. It consists of TV ads in both English and French, radio ads in nine languages, including five native language ads, newspaper advertising in 12 languages; posters, easy-to-read brochures and local public education projects.

This year new television commercials in English and French direct attention to men's responsibility to prevent wife assault as well as to the damage caused by emotional abuse. Only by naming the violence and by women and men working together can we create a safe physical and emotional environment for ourselves and our children.

It is essential, in our working together, that men confront one another, educate one another and raise one another's awareness of the responsibility they have for ending wife assault. By talking to their sons, brothers and friends, men can help to end the cycle of violence in all our communities.

As in the past, many of the public education materials we will be using were developed in co-operation with community representatives. We continue to be concerned that our messages are appropriate to the many diverse groups and cultures in Ontario.

To support the campaign at a grass-roots level, 98 community groups around Ontario have received small grants for local projects. Local public education will reinforce the province-wide message that each one of us in Ontario is personally responsible for helping to stop wife assault. Just as no man has the right to assault a woman, no one has the moral right to deny or ignore the reality of wife assault.

This month-long public education campaign will continue to make the people of Ontario aware that we cannot condone any form of wife assault in our society.

1400

RESPONSES

NORTHERN ONTARIO DEVELOPMENT

Mrs McLeod: I want to respond to the statement by the Minister of Northern Development and Mines. I suppose I should at least be glad that some agreement with the Canadian government has been signed, because it brings to an end what has been a very sad period in recent history with the federal government essentially blackmailing the province by refusing to enter into a joint resources agreement unless Ontario put in a replacement measure for its softwood lumber tax, but at the very best the statement the minister has made is gobbledygook, and at the worst would suggest it is an attempt to hide the reality of what is a very bad deal for Ontario's forestry industry.

I cannot believe any Ontario government would present the information given in this statement as being an agreement to feel good about. It appears this is a replacement, a

reement that is \$12 million a year for four years, for the former Canada-Ontario forest resource development agreement, which was \$30 million a year for five years. That is less than one third of the previous agreement's support for forestry. That means the federal government's contribution to forest resource development in this province is now \$6 million a year for four years where it was \$20 million a year for five years.

It is a huge reduction in support. It is a clear message about the lack of federal government support for Ontario forestry. If we compare this to other provinces, we will see how serious that reduction in support is. If we look at Ontario's commitment is, unless this \$6 million is increased above the \$15 million that was being provided under the former agreement, this is actually \$9 million a year of reduction in support.

I suggest it is entirely possible, from the information the minister has presented about this agreement, that Ontario's forestry budget is now \$18 million a year poorer than it was under the former COFRDA. I do not believe this agreement can possibly be presented as progress for Ontario's forest industry.

Mr Michash: I would like to refer to the mining portion of this statement and to the absolute decline in mining in this province. As the minister will know, with the loss of many thousands of jobs in the many mines that are closing across the province, there is great need of any assistance. I press my main question about the whole announcement today is, does it replace the existing economic regional development agreement? Is this a portion of the \$15 million that was already agreed upon by the former government or is this new money?

I often worry about the mining industry in Ontario and the competition we have from other jurisdictions we compete against. I have often mentioned this about Quebec and British Columbia, Nevada and Mexico, where they are our true competitors. I am wondering today if this is money that is going to help that mining industry. I look forward to seeing what this agreement will do for the many unemployed miners, the many prospectors who are moving out of the area, to bring them back into this industry, one which is in great need across this province.

WIFE ASSAULT PREVENTION MONTH

Ms Poole: When I was listening to the words of the minister responsible for women's issues, I had to agree with many of the sentiments she expressed in her statement. When she talked about making a long-term investment in prevention, that is indeed at the core of it, but one of the things I am distressed about is that the promise of this government is not being matched in reality.

This month, as the provincial government acknowledges and promotes Wife Assault Prevention Month, Interim House of Hamilton-Wentworth and 10 other Ontario shelters for abused women and their children are facing a financial crisis that may soon impact on their ability to continue to provide service. None of the shelters has received any of the \$20.3 million promised by the provincial government in May 1991 to combat male violence, yet the need for the service has never been greater.

While I applaud the efforts of the minister to bring Wife Assault Prevention Month to the attention of this House and to the attention of the people of this province, we must ask her to match her words with deeds. That is what we need and that is what some of these interval and transition houses are not getting.

Changing attitudes is at the core, as I mentioned earlier. It is not only changing the attitudes of the victims so that they know that help is available and that they can break the cycle; it is changing the attitudes of the perpetrators so that they know wife assault is a crime, that there is no excuse and that it is never a private matter, because wife assault is everybody's responsibility. One of the saddest things is for the children involved. We must work together for public education, for police training, for training in the courts and towards a public education program so we can stop this terrible problem.

NORTHERN ONTARIO DEVELOPMENT

Mr Eves: In response to the Minister of Northern Development and Mines, I would say that if my memory serves me correctly, the last agreement was signed in 1985. It was a five-year agreement and I think it should have been renewed in 1990 as opposed to late in 1991.

I would also like to echo to some extent the comments of the member for Fort William with respect to being concerned about the amount being reduced, possibly by both levels of government, the federal government and the provincial government.

The agreement, as I said, should have been renegotiated probably by the last government in 1990, because that is when the previous one expired. However, better late than never, and I suppose half a loaf is better than none, but those are my initial comments.

With respect to the comments about competitiveness, we on this side of the House agree with the minister with respect to competitiveness, but there are some things her government does not have to sign an agreement with the federal government to do. One of these is hydro rates, especially in northern Ontario and especially for northern industries such as the forestry and mining industries.

Gasoline and fuel taxes: This is the same government, the same party, that campaigned in the last provincial election about equating those rates all over the province. As a matter of fact, as I recall, it was a campaign promise that they would equate and equalize fuel and gasoline prices throughout Ontario, especially to help northern Ontario. We have bills on gasoline and fuel taxes that are coming up very shortly for debate in the Legislature, Bills 85 and 86. This government can do something about that unilaterally.

The last comment I would like to make with respect to the agreement is that although we appreciate that forestry, mining and tourism are all very important to the north, transportation is also very important and I note that there is nothing in here about a commitment for four-laning by either level of government, the provincial or the federal government.

WIFE ASSAULT PREVENTION MONTH

Mrs Witmer: I would like to respond to the statement concerning Wife Assault Prevention Month. Although I agree with the minister that wife assault is more than physical violence and that it does need to be eliminated, I am quite disappointed by what is happening here.

Although this government is spending a tremendous amount of money on publicity, it is not providing the dollars for the infrastructure. There is simply no support for the many women and children in this province who are calling for help and wanting access to the shelters. Unfortunately what has happened is that the government is creating expectations throughout the province that these services will be available for women, and then when they contact the shelter, the service is simply not there.

I have recently been contacted by several women operating shelters, including the one in my own community, Anselma House. They indicate to me that the minister has not released any of the \$20.3 million that was promised by her government in May. They are concerned. They are facing a financial crisis. The demand for their services has increased. In fact, at Anselma House they told me that in the first six months of 1991 they have seen more clients than in all 12 months in 1990. Yet the minister is not providing the money to enable them to respond to the demands that are being placed upon them. They have had to reallocate their staff and they have insufficient counselors to deal with the women who approach them.

I ask the minister to release the money so that they can meet the debts in their own community and respond to the expectations she is creating as a result of the publicity. I encourage her to set the money aside for enhanced core funding. That is the number one priority for the shelters. That is what they are looking for. They do not want to write proposals for grants. They want money for core funding and I encourage the minister to put that money in place and make it available to the women and children in this province who are in desperate need of help.

NORTHERN ONTARIO DEVELOPMENT

Mr Harris: In the limited time available to me, I would like to refer the Minister of Northern Development and Mines to the Agenda for People, which turned out to be an agenda to get elected; it really had nothing to do with an agenda for people, with "\$400 million over two years—returning money that's made in the north to the north," or \$200 million a year. The government has cut funding for what was negotiated by a former government that was able to get an agreement, the Conservative government in this province. They promised \$100 million a year to four-lane the Trans-Canada Highway.

The Speaker: The time has expired.

VISITOR

The Speaker: Before continuing with routine proceedings, I invite all members to welcome to our midst this afternoon a former member of the assembly now seated in the members' gallery west, the former member for Essex-Kent, Mr Jim McGuigan. Welcome.

Mr Offer: I rise on a point of order, Mr Speaker. Last week the Minister of Labour announced a move to lower the current workplace exposure limits of hazardous substances. We have heard reports that the Minister of Labour intends to announce changes to the—

The Speaker: Would the member take his seat, please. There is nothing out of order.

1410

ORAL QUESTIONS

SOFT DRINK CONTAINERS

Mr Elston: I have a question for the Minister of the Environment. Not that long ago, I was in this House asking about her commitment to the 30% refillable regulation on soft drink containers. She said she was committed to it despite the fact there had been no charges laid. She also indicated that she was still enforcing the regulation. Since the minister knows that soft drink companies are selling only 7.6% of their product in refillables, can she tell us why she is not enforcing her regulation and laying charges?

Hon Mrs Grier: As I am sure the Leader of the Opposition is aware, the regulations are enforced by the inspection and enforcement branch of my ministry. In June, when it became obvious that the soft drink companies were not meeting the 30% regulation, I referred the matter to investigations and enforcement and instructed them to investigate and enforce.

Mr Elston: So why are they not? I cannot believe the minister. The answer is that the minister is preparing to dispose of her 30% regulation. She will obviously have to confirm that there is a deal in the offing between her and the soft drink industry and that she has a new scheme up her sleeve. Will she tell us today what her newest contrivance is with respect to soft drink containers?

Hon Mrs Grier: I do not know where the Leader of the Opposition gets his information, but let me be very frank and open with him. This is a complex minefield of issues, as many previous ministers of the Environment have found to their cost.

As I have previously said to the House, when I indicated that I intended to enforce the 30% refillable ratio, the current regulation, the soft drink industry said it had a better scheme. I said, "Well then, show me." They came back and gave me a proposal that I submitted to a very broad range of stakeholders at a two-day workshop in the early part of the summer. I had suggested to this group that if it could arrive at a consensus as to how to deal with this issue within the principle enunciated by this government of waste reduction being a priority, that would be very helpful. They did not reach a consensus.

Since then I have been reviewing the results of the workshop and meeting with various groups that have an interest in this matter. When I have arrived at a decision, I will be glad to share it with the member and the House.

Mr Elston: The minister said she was enforcing the regulation and she says she is in favour of 30%. Now she has finally admitted that she is planning to throw away the whole thing. She asked me where I got my information.

ve a copy of this document, which she sent out publicly. The minister can tell the public now that she is throwing away the 30% regulation. In fact, this is a first draft of what we know is a minimum of five drafts, and the minister is planning to do away with the 30% regulation altogether.

While the minister and the association are scheming together to put an end to the 30% regulation, why will she not at least share with us how she has come to the conclusion that the 30% refillable regulation is no longer worth keeping in Ontario?

Hon Mrs Grier: I thought I just did. The member is jumping to entirely unwarranted conclusions. The document he is waving about is the one I just referred to, a proposal to me by the Ontario Soft Drink Association for what it calls a waste minimization plan. After receiving that document, I referred it to the multistakeholder committee I called together and, as a result of those discussions, the soft drink association made some changes in an attempt to respond to the issues raised and to find a way of coming to a generally accepted conclusion on this issue.

The fact that there has been no announcement from me to the course this government will take I think is proof positive that when the member says I have arrived at a deal with the Ontario Soft Drink Association, he is absolutely and completely incorrect.

Mr Sorbara: I think the people of Ontario are going to come to their own conclusions about what the Minister of the Environment has arrived at.

SUPPORT AND CUSTODY ORDERS ENFORCEMENT

Mr Sorbara: My question is for the Attorney General. There are almost 300,000 children in Ontario who are living below the poverty line. That has been confirmed most recently by a joint report of the Social Planning Council of Metropolitan Toronto and the Child Poverty Action Group.

Last December, almost a year ago, when the minister introduced in this House Bill 17, his amendments to the Support and Custody Orders Enforcement Act, he said, "The single most important goal of the new program must be to fight child poverty." While we were debating that bill, the Attorney General suggested to us that it was urgent to pass and implement it because the lives of children and women waiting for support depended upon it. At the same time, the Premier himself accused the opposition of delaying the bill and therefore withholding some \$400 million in support payments.

Now we find—I am getting to my question—that in his wisdom the Attorney General has decided to wait until next March to implement this bill. I wonder if the Attorney General could explain to us how he explains to the tens of thousands of women who are counting on the urgent implementation of these new provisions, which provide for compulsory deduction of support payments, why it was okay to argue their case and use them as political fodder when he wanted to pass the bill but it is not okay to move heaven and earth to implement the bill now that they are depending on it for the support they deserve. How does he explain that to them?

Hon Mr Hampton: Last week I thought I was being surprised by the member opposite when he said he wanted to be supportive. This week he is back in the same old vein.

As we went along with the family support plan, there were a number of issues that we decided were important to implement with it. First, in our discussions employers said to us over and over again that they wanted time to understand the legislation, to understand how it would be implemented, to work out reporting methods and to feel completely comfortable with them.

Second, the new legislation and legislative scheme will involve a real change in the way the family support plan does business. We are required to do a great deal of training with the staff.

Finally, the evidence obtained in other jurisdictions, such as Florida and Wisconsin, indicated to us that it would be better in the longer run to first bring in a very strong public relations campaign dealing with the social aspects of the issue before implementing the plan. This will in the long run assist in the proper development of the plan and help us to maintain and obtain the goals of the plan.

[Applause]

Mr Sorbara: The members of the government party are applauding that action. If the Attorney General thinks that is a response to the thousands of women who were relying on the passage and implementation of that bill for support payments this winter, which is so harsh and cruel to so many people, then he has another think coming.

The Attorney General has had over a year to implement this bill and has been able to find the time and the money to implement the public relations campaign. We have all seen it. It is going to be in bus shelters, on buses and in tabloids all over the province, complete with glossy photos. What does it say? It says, "Tell her again"—this young girl and her teddy bear—"why it's okay that Daddy's not paying his support payments."

Why does the Attorney General not tell us once again why it is okay for him not to implement this legislation immediately and get those payments to the people who need them?

1420

Hon Mr Hampton: As I tried to indicate in my earlier answer, evidence collected in the United States, in states that have implemented support deduction programs already, shows that one half of the problem is increasing social awareness of the failure of some people to pay support.

Interjections.

The Speaker: Order.

Hon Mr Hampton: Studies there also show that if you conduct the proper kind of public relations program, you will increase the peer pressure, the social pressure on people to pay their support payments. We are doing what has been tried and shown to be true elsewhere. I believe it will be successful here as well.

Mr Sorbara: Mr Speaker, if you believe that, I have a bridge waiting for you in the west lobby at a very good price.

This is the same Attorney General who during committee consideration of Bill 17 said: "You can't do it on a voluntary basis. We need these compulsory measures. We have to deduct from every single person against whom a support order is made." But now here is the real answer: It has to do with dollars and it has to do with public relations.

This advertising campaign with the little girl saying, "Tell me again why Daddy is not paying," is going to cost the taxpayers of this province about \$1 million. Can members guess how much the Attorney General has cut from the budget of the support and custody orders enforcement office this fiscal year in respect to this program? It is just about \$1 million. Why would the Attorney General do that? Why spend the \$1 million in giving us ads? Why not spend that money in urgently implementing Bill 17 so that the mothers who need those payments will get them in the mail on a regular basis?

Hon Mr Hampton: Let me address the member's question directly: When we became the government, the SCOE program was in such utter disarray and there was such an incredible backlog that we had to spend over \$2 million last year addressing the backlog. We have addressed the backlog left by those people over there.

Let's get further into the facts. That member held up this legislation for nine weeks in committee. For nine weeks he said he supported the legislation and then tried to pick it apart.

Finally, let me point out that those people over there, the Liberal Party of Ontario, when they were the government had a watered-down version of the legislation we have implemented that went to cabinet, and those people over there would not support it.

Interjections.

The Speaker: Order.

Hon Mr Hampton: So let them explain to the children and the mothers of the province where they were for four years.

Mr Elston: On a point of order, Mr Speaker: I suggest that if you wish to keep this House in some sort of array, you prevent people from doing exactly that sort of finger-pointing and casting aspersions on what we have done and undermining the civility of this place. If that is the best those people can do, they should step aside and let real managers in to take over this operation.

Mr Sorbara: I have a rather minor point of privilege, Mr Speaker.

The Speaker: What privilege have you lost?

Mr Sorbara: I think the Attorney General has inadvertently misled the House. He has suggested that we held up the legislation during committee for a period of nine weeks. If he were to check the record, he would see that during the course of that nine weeks we had several weeks of public hearings and several weeks of MPPs' legislative input in the bill. For that to be characterized as holding up legislation—

The Speaker: Will the member take his seat. There is clearly a difference of opinion with respect to events, but it is not a point of privilege.

ELECTORAL DISTRICT OF BRANT-HALDIMAND

Mr Harris: I have a question for the Deputy Premier. Last week I spent some time meeting residents of three communities in the riding of Brant-Haldimand. It has been three months since these taxpayers have had representation at Queen's Park. I wonder if the Deputy Premier, as a member of cabinet, could tell me why his government has put off, delayed and refused to call the by-election in Brant-Haldimand so they could be represented in this Legislature.

Hon Mr Laughren: There is no attempt or determination to stall. All I can tell the member opposite is that the decision is under active consideration.

Mr Harris: I recall that when a by-election in Welland-Thorold was being delayed by the Liberal Party, the leader of the NDP said that even if the by-election coincided with municipal elections, that should not stop Welland-Thorold from being represented in the provincial House.

While I was in Brant-Haldimand, many people there were reminding me what happened to the last Premier who played politics around the timing of an election call, i.e., David Peterson. Now they are saying the same thing about this government and this Premier. There are 60,000 people who have no official voice at Queen's Park. They hear rumours that the government cannot find a candidate to run. They may or may not be true. They hear all kinds of other rumours down there, but the bottom line of it is that they are without representation. They are getting madder and madder and more and more frustrated.

Can the Deputy Premier give me one possible reason why the government has left the people of Brant-Haldimand without representation now for over three months?

Hon Mr Laughren: I want to assure the member opposite that the ability or inability of the government to find a candidate in that particular constituency has absolutely nothing to do with the timing of the election.

Mr Harris: I asked the Deputy Premier to give me one reason and he could not. Because he has no good reasons, he can understand why people are speculating about other reasons. Here is what happens when they do not have representation: During a visit there I spoke with the mayor of North Dumfries township. The Ministry of Natural Resources collects a levy of six cents per tonne of mined aggregate, and four cents of this levy is supposed to go to the municipality to offset costs such as roads and bridges. The money collected for 1990 is still sitting in the ministry coffers collecting interest, money that belongs not to the government but to North Dumfries.

I realize that \$93,000 does not seem like a lot of money to the government with its \$10 billion deficit, but for North Dumfries it is a significant amount of money. They said to me: "We have no MPP. We have no representative to go to, nobody to represent us." These are the kinds of problems that crop up. Perhaps the Deputy Premier, who is also Treasurer, could answer this question: Where is the \$93,000

1990 that belongs to North Dumfries, this money the government has collected?

Hon Mr Laughren: I want to assure the leader of the third party that \$93,000 is a lot of money in my books, regardless of the position I hold and regardless of the size of the deficit of the province. Also, I have in my own constituency many communities that are very small and to which that kind of money would mean a great deal as well. I do not take the \$93,000 lightly at all. I assure the member opposite that I will find out where that money is and make sure it is in good hands.

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ONTARIO HUMAN RIGHTS COMMISSION

Mr Cousens: I have a question for the minister with responsibility for human rights. On August 16, 1991, a settlement agreement was signed by the complainants and respondents, employees of K B Home Insulation Ltd in Kingston, in a sexual harassment case that was before the Ontario Human Rights Commission. The agreement was approved by the board of inquiry on September 4, 1991. Exactly six weeks later, on October 16, 1991, the Ontario Human Rights Commission issued a news release on this case. This year, October 16 was also the date the US Senate confirmed Clarence Thomas's nomination to the US Supreme Court. The coincidence is suspect because both incidents deal with the issue of sexual harassment. A link between the two incidents was made by both the Washington Times and the Wall Street Journal.

Could the minister explain why it took the commission six weeks to issue a news release in this case and whether she feels that the chief commissioner, Catherine Frazee, and Alan Shefman, director of communications and education, were making a political statement with the timing of the release?

Hon Ms Ziemba: I think the member opposite realizes that in my capacity as minister responsible for the Ontario Human Rights Commission, it is an arm's-length relationship and the decisions made by the chief commissioner and her staff are certainly up to the chief commissioner to make.

However, having said that, I understand that a board of inquiry was involved in the process and certainly it has to be looked at in terms of when that inquiry was held. But I must say to the member that one of the things we announced just a few weeks ago was that we were going to have a new health and effectiveness program to make sure the commission worked properly. This is one of the issues that will certainly be dealt with in that particular context.

Mr Cousens: In some things the minister has a very short arm and in others she has a very long arm. This arm's-length relationship is not the relationship we expected to hear about.

There is a great deal of concern surrounding the issue of news releases by this commission. There seems to be no consistency in the treatment of cases. The Toronto Star revealed that the commission decided not to release information about a sexual harassment case involving University of Toronto professor Andre Stein and a fourth-year science student, yet the commission decided to issue a news

release about a case involving a Kingston insulation firm. In both cases, the complainant received a cash settlement.

Would the minister please explain why these two sexual harassment cases were treated differently by the Ontario Human Rights Commission?

Hon Ms Ziemba: The issue is still the arm's-length relationship that I have with the commission, but I have asked how the procedure works in relation to press releases and publicity on cases. I have concern about that and, as I said earlier, we have to look in a comprehensive way at how issues are released. That is one of the issues that is going to be addressed in the health and effectiveness program of our new comprehensive plan that we are addressing at the Ontario Human Rights Commission. I share the member's concerns, because yes, I too wonder why some cases have the publicity release and others do not.

Mr Cousens: The honourable minister wonders. She has had 10 days to wonder since the article came out in the Toronto Star, and still the minister does not have an answer.

The Ontario Human Rights Commission has a mandate to ensure that all Ontario citizens are treated equally, yet the commission has handled two strikingly similar sexual harassment cases differently. A case involving a small business was made public while a case involving a tenured professor was not. The people of Ontario will not accept inequitable treatment from the Ontario Human Rights Commission. What specific actions has the minister undertaken to ensure the commission will be consistent in its procedures for publicizing settlements?

Hon Ms Ziemba: I absolutely agree with the honourable member. The Ontario Human Rights Commission should treat everybody equitably and fairly. What I have stated is that in our comprehensive plan we are going to address that issue. It has never been addressed before by either party, and it was always left. Now we are going to do that. I do agree with the honourable member that we should have a comprehensive plan. It is a specific plan with a comprehensive health and effectiveness—

Interjections.

The Speaker: Order. The question was placed. I know the member would like to hear a response to his question.

Hon Ms Ziemba: I also would like to add that the case in Kingston had a board of inquiry, which is a very public issue, whereas the case at the University of Toronto was not a public case. An agreement was made between two individuals, which is a little different than being in the public limelight, but I do agree that there has to be a comprehensive plan and we are addressing that very shortly.

AGRICULTURAL LAND

Mr Bradley: I was going to ask a question of the Premier about the OPP, but he is not here today so I have a question for the Minister of Agriculture and Food. When the Minister of Agriculture and Food announced his task force on Niagara land use planning issues last March, he promised that the task force's recommendations would be on the basis of "action plans" and would not be just another study of the tender fruit industry.

The task force's final report last June recommended that the province establish conservation easements to financially compensate Niagara farmers for not developing their land. The minister will remember that he has not acted on this very important recommendation, that he has decided to put this proposal off for even further study.

Does the minister's statement last week that he intends to fight farmers' severances at the OMB and his lack of action on conservation easements mean the task force was just another study of the tender fruit industry? Could the minister explain to the House how much it will cost the taxpayers of Ontario for high-priced, big-city lawyers to fight hundreds of proposed severances at the OMB?

Hon Mr Buchanan: There seem to be several questions rolled into one there. The member for St Catharines was on his feet last week imploring us to try and preserve agricultural and farm land. He was talking about some things that were happening along certain highways and he wanted to preserve the land. We announced last week that we are concerned about saving good farm land in Ontario.

In terms of the task force report that came out last June, which the member referred to, conservation easements were one of the methods that were suggested as a way of saving farm land in the Niagara region. I have responded to the Niagara region that it is one method we are interested in. I have a small group of people within my ministry who are exploring that further in co-operation with the people from Niagara. However, to implement that type of program we have to examine the implications for the rest of Ontario. We are currently in the process of doing that. I have not ruled out the use of conservation easements in Niagara or anywhere else. I want to explore what the cost will be in Niagara and provincially, though, before we make any announcements along that line.

Mr Bradley: We have the Minister of Transportation wanting to pave farm land for a truck inspection station. We have the Treasurer of this province trying to sell off government property to keep the bailiff away from his door. The government is bailing out unionized industrial operations in various parts of Ontario.

Why will the minister not provide the kind of financial assistance that will allow farmers, first of all, to meet the increased costs being imposed by the legislation and regulations of his government and make a living from the land he wishes to preserve? Why will he not give Niagara farmers a reason to support the preservation of agricultural land rather than severances to keep their operations going?

Hon Mr Buchanan: We have attempted to support tender fruit farmers and in fact all farmers in Ontario as part of the emergency package of announcements made a couple of weeks ago. Horticulture was mentioned as a specific part of that emergency aid package. There are substantial amounts of federal money currently being negotiated to make sure Ontario gets its fair share. I can promise the member that the Niagara region will get its fair share of the allotment we get in Ontario, to make sure we support the tender fruit industry in the Niagara region. It is our intention to get as much money as we can to support that area of the province.

1440

POST-SECONDARY EDUCATION

Mrs Cunningham: My question is to the Minister of Colleges and Universities. The minister will be aware that this morning there was a group in the press conference room called the Alliance for Ontario Universities. They spoke clearly of the economic impact of Ontario universities not only on our province and our country, but on our individual communities. All of us were quite surprised to know that the universities pump some \$6.2 billion into the economy. They create and maintain some 138,000 jobs. For \$1.9 billion invested by this government, the universities in return generated \$3 for every \$1 that was spent. I think most of us were well informed and we found out that most of the Ontario population is not.

This group has formed to promote awareness of the universities, what they do and how they contribute to our economy. If they are having to go about this province and tell the Ontario public what is happening and what is good about the universities—as the minister knows, we have to clearly improve their image—what is this government doing to assist groups like this? What is the minister doing on his own to make certain we appreciate the contribution universities make to this society?

Hon Mr Allen: I first of all want to thank the member for her question. The group that has been formed, the alliance, is going to be very helpful in spreading precisely the kinds of messages this government has been spreading and indeed which the past government attempted to spread, about the good work the universities do in this province. It is no secret that when one comes to talk about technology transfer the best technology transfer is from the universities, through their graduate students, into the businesses and professions of this province. In fact, the multiplier should be at least threefold and probably is more. One takes account of all the spinoff effects of the work universities do.

As the member knows, we have established and are establishing further task forces that will be moving around the province talking with various community groups and with the universities to deal with precise issues in the university system. In the course of that, there will be many opportunities to sing the good story we have to tell about universities in Ontario.

Mrs Cunningham: I do not know how many years I am going to have to spend in this Legislative Assembly to see some government come forth with some action, but I do know that the universities spent a long time putting forth a recovery plan for the consideration of this government.

The experts, the students, the parents and the communities were involved in some way in talking about the tremendous problems our universities face, especially in Ontario. If we are going to rely on our young people, there is no better place. As we talk about accessibility and our dependence on them, we have actually cut funding per student over the last decade. We have done that. The recovery plan gets us back to the 1977 level. That was the suggestion. That was the minister's plan. What is the

government's plan for recovery for the universities of Ontario?

Hon Mr Allen: As the member knows, there is indeed a good deal of ground to be made up. Since 1978, per student funding in Ontario has gone down in real dollars \$1,900 per student under the Liberal and the Conservative governments. If this government were not in the kind of recession conditions we are in, we would be making up ground very fast on that \$1,900 per student that has been cut over the past dozen years.

I am quite aware of the recovery program, and the member knows it is a proposal that requires a major infusion of funds from the students, from private business and from government in some fashion over a period of four years. The difficulty all of us are having is finding the dollars on the student side, on the business side and on the government side to make it all work. But I want to assure the member I am working on it.

MINISTRY OF CULTURE AND COMMUNICATIONS RECEPTION

The Speaker: The Minister of Culture and Communications has a response to a question asked earlier by the member for Renfrew North.

Hon Mrs Haslam: On October 28 the member for Renfrew North asked me to provide him with information on a reception surrounding an announcement made by my ministry in late August. The occasion was the announcement of \$5 million to support publishing in Ontario through the creation of a publishing centre which will administer the money to Canadian-owned, Ontario-based magazines and book publishing companies.

I do not have to remind the honourable members of the sorry state of Canadian and Ontario publishing. This was a major, long-awaited announcement. Therefore, we had a reception for 200 magazine and book publishers and writers.

The Park Plaza was chosen for two reasons. First, it is a long-standing traditional meeting place for writers and the publishing community and it is our preference to use event-related venues for our announcements. Second, the Park Plaza offered us free space to make our announcement there and, as a result, the Plaza's quote was competitive with those of other estimates we asked for.

Management Board policy indicates that such expenses should minimize costs and maximize benefit. It also states that the most practical and economical arrangements must be made. This we did.

Mr Conway: I do not think my friend the minister has yet understood the essence of my question. We have all known for months about the recessionary pain that is being felt everywhere by working men and women across this province. The bill I have in my hand is a bill for some \$2,887 for an important reception at a properly prestigious place which—

Hon Mr Pouliot: A thousand bucks an hour in Italy.

Mr Conway: Oh, shut up.

Hon Mr Pouliot: Whatever happened to the word "please"?

Interjections.

The Speaker: Relax. It may have something to do with the fact that the air-cooling system is not functioning this afternoon. Hence it is a little warmer than usual. I am sure the member for Renfrew North can continue.

Mr Conway: The point of the question is simply that \$857 worth of this bill is for publicly supplied and paid-for booze. Will the minister give an undertaking, as the Attorney General did, I thought, very ably the other day, that the days of publicly paid-for booze are not going to be very long for this government, that particularly in these recessionary times we are not going to see this kind of event again, where \$857 is paid, regardless of the prestige of the event, for alcohol, and that if a venue is required, the legislative precinct is as good as it gets?

Hon Mrs Haslam: I would like to inform the member that it is our policy at the Ministry of Culture and Communications to select the most inexpensive wine on offer and always Ontario wine. Juice, soft drinks and mineral water, as always at ministry events, were encouraged.

The total cost of this event, as the member has indicated, was \$2,800; of that \$857 was for 35 bottles of wine. That works out to less than one glass of wine for each of the 200 people who attended, or to put it differently, it comes to \$4 per person.

This event was in complete adherence to Management Board guidelines and was supported by the existing administrative policies and procedures of my ministry. The member for Renfrew North cannot reasonably expect that a major, long-awaited announcement for a vital sector of our economy warrants any less attention from this government. But I take his point because I researched what he and his government spent the last time it did something. At \$10,000, \$1000 of it for the wine, I would say I am saving a lot of money here.

1450

NORTH YORK PERFORMING ARTS CENTRE

Mr Mahoney: Before I ask the question, I would like to read a quote from a letter. It says:

"I do not have to tell you why American manufacturers can sell products cheaper than Canadian manufacturers. None of the reasons are good ones and none of those reasons should be supported by this government. We have a choice. We can encourage employment right here in the province of Ontario or we can contradict everything we have ever said about cross-border shopping and buy from an American manufacturer."

The letter closes by saying:

"I believe it would be politically disastrous for us as a government to engage in cross-border shopping, and I urge all members of the government, especially those in cabinet, to support the purchase of Canadian-made and Ontario-made products."

It is signed by the member for Welland-Thorold, and I certainly agree with those sentiments.

My question is to the Minister of Culture and Communications, and it has to do with some documentation I provided for the minister regarding the North York Performing Arts Centre. A tender call was put out by this

group and the tenders came in. The first bid was \$970,000. The second bid was \$1,049,000, \$78,000 more. The first bid was from an American firm. The second bid was from a Canadian firm, Joel Theatrical Rigging Contractors Ltd of Mississauga.

The minister in a letter to me stated that she shared my concerns and indicated that she would attempt to do something to allow this Canadian company to get this business. It is \$1 million in business for a Mississauga company. By the way, \$600,000 of that is for labour.

The Speaker: Would the member place his question, please.

Mr Mahoney: I would like to ask the minister what she has done to assist this Canadian company to convince the North York Performing Arts Centre that it should award this contract to this Canadian business.

Hon Mrs Haslam: As the member knows, I cannot tell the agencies, I cannot tell the people, whom to hire and whom not to hire. Yes, we like Canadian companies and yes, I will continue to support Canadian companies, but the member knows very well that, as a minister, I cannot dictate whom they hire or whom they have build their facilities.

Mr Mahoney: I did not ask if the minister would dictate it. I asked her if she had done anything to encourage these people to give the contract to a Canadian company. I have, in a letter back, an admission by this minister that the former government contributed \$12 million to the project in land which was subsequently sold. We made our contribution to this project. There are federal moneys that are being applied for.

I then get a letter from the Minister of Industry, Trade and Technology, who says his officials are meeting with their officials and they are all going to try to work this out. I quote that minister as saying, "I hope we will be able to achieve a suitable solution that is consistent and fair and recommend this to the North York Performing Arts Centre and their board of directors."

I have been told that as of today this business has been given to the American company. I want to know why the Minister of Culture and Communications and the Minister of Industry, Trade and Technology have been fiddling and sitting on their hands instead of meeting with the board and attempting to ensure that Canadian jobs and Canadian businesses are supported. How can she justify sitting there while this project goes across the border?

Hon Mrs Haslam: The member knows that in the interests of supporting Canadian business and workers the Ontario government extends a 10% price preference on Canadian content in goods and services, and it continues to support that. As he well knows, neither the Minister of Industry, Trade and Technology, nor the Minister of Labour nor any minister can go to a board of directors and say, "You must do this or you must do that." We will continue to work with these people. We will continue to work with any board to be sure that the Canadian jobs are protected and this government—

Interjections.

The Speaker: Order. Will the minister take her seat for a moment.

Mr Mahoney: You could at least admit you did nothing. At least admit you did nothing and you are cross-border shopping, or resign.

Hon Mr Philip: You wanted to build a Pelee Island ferry in the United States. What are you talking about?

Mr Bradley: Are you misleading the House over there, Ed Philip? Will you quit misleading the House?

The Speaker: The member for St Catharines, that is out of order. I ask the member for St Catharines to withdraw that remark.

Mr Bradley: I withdraw.

The Speaker: Members will notice that when people are interrupted attempting to either ask a question or respond and it is necessary to maintain order, the clock continues to run. If members wish to watch the time disappear, then that is precisely what is going to happen.

Hon Mrs Haslam: In closing, I would just like to assure the members that we are very interested in Canadian workers and very interested in Canadian businesses and will continue to support them in any way—

Interjection.

The Speaker: Order, the member for Oriole.

Hon Mrs Haslam: Mr Speaker, the member for Oriole is bellowing. How can she hear my answer when she continues to bellow like that?

The Speaker: The choice of language is not helpful to the atmosphere in here. I realize that the issues are difficult and people get upset, but the choice of language does nothing to assist in trying to establish a better atmosphere.

TVONTARIO

Mrs Marland: My question is also for the Minister of Culture and Communications. The Provincial Auditor's report on TVOntario revealed a litany of executive excesses, poor planning and a lack of expenditure control. Given that TVOntario is funded by the taxpayers, the Ontario government must demand better accountability from our province's public broadcaster.

When the Provincial Auditor's report was released, I recommended that TVOntario's chairman and CEO resign immediately. However, this minister said Mr Ostry would remain until December 15 because TVOntario is hosting the Public Broadcasters' International Conference this month. Can the minister give us an estimate of how much TVOntario will spend to host the Public Broadcasters' International Conference?

Hon Mrs Haslam: TVOntario and NHK have agreed on a cost-sharing agreement and they set a budgetary allocation for the November initiative. I asked and TVOntario has informed us that TVO and NHK are sharing costs 50-50. Delegates are paying their own travel and accommodation costs. The costs of the three-day event are set at approximately \$46,000. Therefore, TVOntario has told us it projects a cost in the range of \$23,000.

Mrs Marland: I wish to thank the minister for monitoring the expenses of the Public Broadcasters' International

ference which TVOntario will host. The taxpayers of Ontario ultimately pay the bills for hosting this conference. Even the shocking excesses that have occurred under Mr. [Name]’s leadership, we have a right to expect the government to monitor carefully an event over which he will preside.

Can the minister tell us whether she believes that the cost of hosting the Public Broadcasters’ International Conference are acceptable, and will she tell us what steps she is taking to ensure that cost overruns do not occur, as has happened in the historical perspective under that leadership?

Hon Mrs Haslam: We know that the symposium is to identify common and international problems that broadcasters face and to propose co-operative actions that will address the challenge. It is a very important symposium. I have already said, I asked TVO and it has informed us that this is the cost, that it will be a 50-50 sharing with the IBC. They have estimated that cost to be in the range of \$3,000.

HIGHWAY SAFETY

Mr Sutherland: As members know, Highway 401 goes through my riding and one of the most dangerous sections of the 401, the stretch from Woodstock to—

Interjections.

The Speaker: Order. To whom is your question addressed?

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Mr Sutherland: My question is of the Minister of Transportation. One of the most dangerous sections of Highway 401, the stretch from Woodstock to London, goes through my riding. The Ministry of Transportation has been doing construction work there for the last couple of years. I want to know whether the minister can inform us what impact the work already done, the paving of shoulders and installation of medians in certain sections, is having on the safety of that stretch of the road.

Hon Mr Pouliot: I welcome the concern shared by the member for Oxford regarding the section of Highway 401 between London and Woodstock. We are talking here about a project of \$180 million. The work began in 1989 and is to be completed in 1995, fully one year before the original estimate of completion. This year we are looking for three contracts to be awarded for a median barrier, to be followed by a supplementary three in 1992, one in 1993 and finally two in 1994—\$180 million totally, completely devoted to safety on Highway 401.

Mr Sutherland: I have been having some discussions with people in my riding, anecdotal conversations with some of the ambulance operators, about safety there. They indicate to me they feel the section of highway is safer and they are responding to fewer serious accidents out there. I wonder whether the ministry has any statistics that would support that anecdotal information.

Hon Mr Pouliot: The member has asked the most relevant and serious question of the day and is to be commended. I too share the need to address the component of safety at every opportunity. It forms part of our philosophy of Transportation. Everything has been done to accelerate

the project, and indeed the section of Highway 401 which is the most dangerous will be completed in 1992. We are doing all we can, and I wish to thank the member.

SKILLS TRAINING

Mr Daigeler: My question is of the Minister of Skills Development. So far, he and his government have been great on promises but very poor on action. Two weeks ago, when he signed a new federal-provincial training agreement, he took a lot of media credit by promising major reforms on training, but all we have so far is the promise of yet another round of consultation, this time on the Ontario Training and Adjustment Board.

Let me remind the minister that on October 19 the Premier himself got a great headline in the Toronto Star saying “Rae to Boost Training, High-Tech.” Beyond the headlines and the vague promises, where is the boost? Where are the concrete initiatives on training we need today, not a year from now?

Hon Mr Allen: I can refer to the \$6-million laid-off apprenticeship program, for example, the first time in the history of this province that there has been a program to maintain apprentices during a recession or depression. Under that program we have had interviews with over 5,000 apprentices and, through a number of strategies, have been able to retain large numbers of them in their training programs who otherwise would have been lost.

We added \$2 million to the Trades Updating program for technology and technologists to make certain that people who are out there could increase their skills, particularly if they were training apprentices, so that they in turn could be more highly skilled trainers.

We added \$1 million to the access to apprenticeship program so that those equity groups having difficulty getting into employment and therefore into apprenticeships would be able to take advantage of those programs. We have signed a \$4-million agreement, for example, with the electronics and electronic industries. We have done a sectoral training program with regard to the plastics industry, and we have some coming on stream for auto parts and tourism.

If the member would like to learn a little bit more, I would be happy to oblige him.

Mr Daigeler: I have been trying to learn a lot more at the estimates, and we will be hearing more from the minister and we will be asking him more tomorrow afternoon. What I have not heard from the minister is any major reorientation of our training system. All he has promised us so far is further consultation.

Let me remind him of yet another unfulfilled promise on his part. In his now much-discredited budget statement of April 29, here is what the Treasurer had to say with regard to the minister’s plans to implement the Vision 2000 reforms:

“First, a college standards and accreditation council will be formed to ensure that college programs are of a consistently high quality across the province. Second, we will be moving forward on a system for fairly evaluating prior learning. Third, the Minister of Colleges and Universities will be undertaking a feasibility study to examine

innovative ways for colleges and universities to co-operate in offering new credentials for advanced training. The minister will be announcing further details."

Where are the minister's announcements of further details in this House?

Hon Mr Allen: I do not know where this member's ear is, but it certainly is not to the ground. There were announcements precisely with respect to each of those three initiatives in the weeks following the budget. There was \$3 million allocated to cover the initiatives to get in place each of those projects. I do not know where the member has been.

He says we are doing nothing. We spent seven months of this year in tough negotiations with the federal government. Last year, with 38% of the labour force in this province, we were getting only 24% of the training dollars from the federal government under that administration. We have negotiated a whole new range of \$380 million in addition to the last agreement's dollars from the federal government and we got it by hanging tough. We have 38%, exactly equal to the labour force percentage.

LAND REGISTRATION

Mr Villeneuve: My question is of the Minister of Consumer and Commercial Relations. Given last week's court decision by Judge Soubliere concerning registry offices in eastern Ontario, can the minister assure this House today that the files and documents that were removed from the registry offices that are now scheduled to stay open in eastern Ontario will be returned to where they justly belong?

Hon Ms Churley: Any documents that have been removed—and I am not so sure they were; these offices will not be closed down, pending further review of the judge's decision—of course, any documents that may have been removed will be returned.

Mr Villeneuve: That is good to know. We will be looking forward to those documents returning very shortly. In the hearings we had, the ministry failed to show that the closure of registry offices would indeed save one penny for the public. Would she now be prepared to go to the Provincial Auditor and ask him to do a full audit on the closure of registry offices, prior to taking any further action?

Hon Ms Churley: I beg to differ; the member is wrong. The information that was given by my staff who attended the hearings in fact said quite clearly there would be savings of \$1 million a year and at least \$8 million in capital costs. I can show him those figures again. It is very clear why we would be closing these offices—they are redundant.

In fact, members were standing up here today and talking about—I say this in all seriousness—the fact that there is not enough money around for wife assault. I agree with them. We need a lot more money in these very important areas, and the member cannot have it both ways.

Interjections.

The Speaker: Order, the member for Burlington South.

Hon Ms Churley: We need to rationalize the systems. We have to cut down on duplication, because there are very important—

The Speaker: Will the minister take her seat, please.

The member for Burlington South is asked to come to order.

1510

SUPPORT AND CUSTODY ORDERS ENFORCEMENT

Mr Malkowski: I have a question for the Attorney General. Last Thursday, October 31, the Attorney General launched a massive public awareness campaign on the issue of unpaid family support payments. Why is this campaign necessary? I have met regularly with constituents in York East who are single mothers owed child and spousal support who are very aware that there are serious implications for unpaid family support.

Hon Mr Hampton: The member is quite right that the women and children who are not receiving support payments are very aware of the problem. However, society in general is not sufficiently aware of the problem. Society in general is not aware that there is \$470 million in unpaid support payments, which is hurting us. They are not aware that 80,000 children are affected by the failure to pay support. They are not aware that Ontario then has to spend an additional \$140 million in social assistance.

There is not sufficient awareness out there among the greater public of how serious this problem is. Through a public relations effort, we believe we can focus public attention on it and, through focusing public attention, we believe we can increase the social attitude that says to people who should be paying support, "You must pay your support."

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Mr Cooke moves that Mrs Marland and Mr Harris exchange places in the order of precedence for private members' public business.

Motion agreed to.

PETITIONS

RELIGIOUS EDUCATION

Mr O'Neil: I have a petition I am presenting from my riding. I would like to emphasize that, although I present this petition, it does not mean I agree or disagree with it. The petition reads:

"The Ministry of Education has made evolutionism a compulsory core unit in senior OAC, previously grade 13, history and science. Since evolutionism and creationism are completed acts in the past, neither can be proven nor disproven. In fairness to all parents and students, equal time should be given in presenting the underlying assumptions of each.

"Through the two-model approach, the skills of critical thinking, such as recognition of bias, awareness of society and its influence on one's bias and the awareness of assumptions, can allow students to examine their own belief

stem and better appreciate an opposing view. These bills should be incorporated into all textbooks approved by Circular 14 dealing with the question of origins."

OATH OF ALLEGIANCE

Mr J. Wilson: I have the pleasure of presenting a petition to the Legislature on behalf of the good people of my riding of Simcoe West. The petition reads as follows:

"Whereas the Queen of Canada has long been a symbol of national unity for Canadians from all walks of life and from all ethnic backgrounds;

"Whereas the people of Canada are currently facing a constitutional crisis which could potentially result in the breakup of the federation and are in need of unifying symbols;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to restore the oath to the Queen of Ontario's police officers."

I too have affixed my name to this petition.

INTRODUCTION OF BILLS

CITY OF TORONTO ACT, 1991

Mr Marchese moved first reading of Bill Pr85, An Act respecting the City of Toronto.

Motion agreed to.

CITY OF WINDSOR ACT, 1991

Mr Dadamo moved first reading of Bill Pr99, An Act respecting the City of Windsor.

Motion agreed to.

ORDERS OF THE DAY

ELECTRONIC REGISTRATION ACT (MINISTRY OF CONSUMER AND COMMERCIAL RELATIONS STATUTES), 1991

LOI DE 1991

SUR L'ENREGISTREMENT ÉLECTRONIQUE DANS LE CADRE DE LOIS RELEVANT DU MINISTÈRE DE LA CONSOMMATION ET DU COMMERCE

Ms Churley moved second reading of Bill 126, An Act authorizing the Filing of Information in an Electronic Format under Statutes administered by the Minister of Consumer and Commercial Relations.

M^{me} Churley propose la deuxième lecture du projet de loi 126, Loi autorisant le dépôt de renseignements au moyen d'un support électronique dans le cadre de lois dont l'application est confiée au ministre de la Consommation et du Commerce.

Hon Ms Churley: In June of this year, I introduced for first reading the Electronic Registration Act (Ministry of Consumer and Commercial Relations Statutes), 1991. It is now my pleasure to move second reading of this bill.

As I informed the members of the House in June, the purpose of this act is to authorize the ministry to accept information in an electronic format. This will allow us to provide faster, more efficient and more accurate service to our customers.

Clients currently provide information on paper to ministry staff, who then enter it into a computer database.

Under this new legislation, customers will be able to use computers in their own offices to submit information directly into the database using electronic transmission. The system will have safeguards to ensure that users at these remote terminals may only input new information and that existing data in the system cannot be altered or manipulated.

Specific amendments to the Personal Property Security Act, 1989 will allow registrations under that act to be made electronically. This program, which provides a record of personal items pledged as security in financial transactions, will be the first ministry program to use this new capability.

In the longer term, the amendments will permit the submission of electronic information to other program areas in my ministry, such as the land registration system and databases managed by the companies branch. Computerized filing of data will be extended to these programs as soon as new systems have been developed and put into place.

This legislation will significantly improve customer service. I urge all members of the House to support second reading so that this important goal might be achieved as soon as possible.

Mr Cordiano: I am pleased to say that it is nice to see the Ministry of Consumer and Commercial Relations putting forward efforts to become more efficient. We are all in favour of that, if only because the minister is so quick to implement this and to start this initiative at this time when in all of the other issues she has been working on, which I feel are quite important to the public, she is failing to address in as efficient and expeditious a manner as she is doing with this particular piece of legislation. That having been said, I will concentrate on some of the concerns we have.

The ministry will accept information in this way, and we will be looking carefully at all the upcoming amendments to ensure that when the system is expanded, each of the acts is not altered in any substantive and significant way with respect to those amendments.

It has been estimated by ministry officials that the personal property security registration branch receives upwards of 12,000 documents to be inputted daily. That is quite a number, and this will no doubt speed up that process quite a lot.

It has also been estimated that 50% to 60% of the clients of the ministry will use this system within a short period of time—not all, but 50% or 60% of the client base is quite a good start. Of course, the issues of concern stem largely from the fact that there are questions of security breaches which may occur.

1520

Mr Tilson: It is a pleasure to rise today on the debate involving Bill 126, the Electronic Registration Act. As the previous speaker, the member for Lawrence, has indicated, I think we are all in favour of efficiency. We are all in favour of making the wheel move a little easier, adding a little oil to make the system run a little smoother.

We can certainly all recall the implementation of Polaris or the amendment to the Registry Act back in 1984,

I believe, which was a computerization and mapping of the registry system. It was much more complicated than this type of bill, although I believe it involved only two sections, resulting in that amendment in 1984. The principle of it of course was to make the wheel run easier in the real property section.

This bill is intended to make the wheel run a little easier in the personal property area. The bill, as the minister has indicated, authorizes the ministry to accept information in an electronic format. The first part of the bill, sections 1 to 6, establishes the legislative authority to permit persons who are required or permitted to file information under the statutes to do so in an electronic format and to transmit information electronically to a ministry database.

There are four important features of the bill, all of which, at first glance, I think we can all support. Information that is filed electronically must be in a prescribed format and must be recorded on a system of data storage that can be read by the equipment used by the ministry. The information may only be filed electronically by an authorized person. At first blush that seems to be a wonderful idea. Again, with what has been indicated as the number of registrations that occur per day, the implementation of a computerized system is obviously a good idea.

I compare this act that is being proposed, Bill 126, to Polaris. I think Polaris was hailed by all, or by anyone involved in the land registry system. It was a wonderful idea, the mapping and the computerization of the land registry system. But the difficulty—and questions have been asked of the minister in the House—is that we do not know who is running the system. We do not know how much it is going to cost. We do not know who these people are, because the system seems to have been taken away from the Ministry of Consumer and Commercial Relations and put into the hands of an unknown group of people at an unknown cost. I have asked the minister repeatedly for information on that, and she has been unable to provide the House with this information.

My fear in supporting this bill is that I will bet this system involving personal property security is going to be treated the same way as real property and that it will be in the hands of those unknown people and cost unknown amounts of money. Until the minister comes forth with that information and produces the contract that gives us the details as to who is going to handle this entire system, I have grave difficulty in supporting this bill, not for the contents—it is a good idea; the whole idea of a computer system is good—but the whole issue of privacy.

What are these unknown people going to do with this additional information? Until we see that contract, which I believe is going to incorporate this system as well—they are going to run the land registry system, so it is very easy for them to add on to the floppy discs all the information involving personal property security. The minister will not produce the contract, and until that contract is produced, I believe the information in Bill 126 will be part of the system.

Having said that, when we talk about how information may be filed electronically by an authorized person, the

words “authorized person” seem to be dealt with in a number of sections—at least two, to be specific. The first is subsection 4(4) of the bill, which talks about an authorized user:

“Information that is filed in an electronic format may be filed only by a person who is or who is a member of a class of persons that is authorized to do so by a person who has the power to authorize such filings under a designated act or, if no person is authorized under the designated act, by the minister.”

It would appear from subsection 4(4) that it is going to be at the discretion of the minister as to who this authorized person is going to be for this particular purpose of information filing under the electronic format.

I have a lot of problems with that. I think we need to know what the minister has signed away in this contract. I am talking about the contract involving Polaris, which I believe, because of the minister's silence in this House, is being expanded to personal property security. She can say it is not but she will not produce the contract, which is going to be kept secret for ever.

If the minister is going to keep that information secret for ever, who is going to run this system? It is going to be people designated by the minister at his or her discretion. Who is the minister going to designate? Maybe it refers to this unknown contract that we do not know about and that the ministry will not produce. It gives me great concern as to what the Ministry of Consumer and Commercial Relations is up to when it will not produce a contract that submit probably includes Bill 126.

Subsection 5(2) also talks about an authorized user. I says:

“Information that is filed by direct electronic transmission of data may be filed only by a person who is or who is a member of a class of persons that is authorized to do so by a person who has the power to authorize such filing under a designated act”—I understand that if it is spelled out under a designated act—“or, if no person is authorized under the designated act, by the minister.”

I need clarification on that, and I would hope the minister would be in a position to do that. Does it tie in with this contract that she will not produce? She may stand up and say, “No, it doesn't.” With all due respect, that may be the case but we do not know, because the contract is going to be kept secret for ever. That gives me some concern with respect to the very first issue I have referred to in sections 1 to 6, which is the first part.

The second part talks about how certified copies of computer printouts of information filed electronically may be provided by the ministry and may be used in the same way as certified copies of documents that are filed. That certainly makes sense.

In running through some of these areas, I am not concerned with the improvements to the system; I am concerned with the whole issue of privacy. Who is going to control them? Are we suddenly going to have another television program that is going to tell us it is this group? I that how it is going to be produced to the House?

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The minister may stand up and say: "No, it isn't. They have nothing to do with it." I can say that when Polaris—I can remember very well when the two very small sections of the Registry Act were amended. I believe it was 1984. Everyone thought it was—well, almost everyone. I suppose there are always people who object to change, but I believe most people felt it was a good idea, generally speaking, to improve the system, and I think we all do with this one as well.

But there is the issue of privacy. What is going to be compiled on this floppy disc? Who is it going to be made available to? Who is going to control it? What fees are going to be charged? Is it going to be like some jurisdictions in the United States, where information that is provided by a government for the purpose of service is made available and what was normally made available for free is now made available for, I do not know, large amounts of money. We have to watch what the government is doing when it starts making information available to unknown groups of people who are going to be making unknown profits.

The third point is, "Information...that is filed by a direct electronic transmission to a ministry database may be accessed only by a person who is authorized to do so." Again, that is the same issue. That is the section I referred to, subsection 5(2). The minister is going to decide. It is a shame we do not know what the minister is up to, what the minister has contracted away.

Fourth, the application of this act to other acts is done by the Lieutenant Governor in Council. Under a designated act, regulations may be made dealing with the electronic filing of information with direct electronic transmission of data. I understand that too, and again it appears to be, generally speaking, an improvement to the system.

Although I think we support generally the philosophy of improving the system, we have the same concerns we have been raising over the past number of weeks. What is going to happen to our privacy? What is going to happen to all the information about us? It is amazing what you can put on a floppy disc—unbelievable information.

We now know that anything involved in real property is going to be on a floppy disc and made known to unknown people, for who knows what purpose. Now it would appear, under this legislation—that may be not under the control of the minister or the ministry; it may be assigned to unknown persons—that the information that is obtained, for example, might be whether you own a car and whether you have a chattel mortgage on your car.

Let's say the Royal Bank of Canada gives out loans—I will pick the Royal Bank, but not because it is one favourite bank over another—and it has a number of loans around the province on individuals' automobiles. You could press a button, Royal Bank of Canada, and all of a sudden find out what chattel mortgages the Royal Bank of Canada owns all around this province, what it holds.

I can pick a name. I can find out, for example, Marilyn Churley. I could press the name Marilyn Churley and find

out what automobiles she owns. I could find out what chattel mortgages are on that. I could find out all kinds of information under the Personal Property Security Act, all at the press of a button for Marilyn Churley, all in the hands of unknown persons. It is kind of scary. Is 1984 really 1991? Has Big Brother arrived?

"The second part of the bill (section 7) amends the Personal Property Security Act, 1989...to allow financing statements and financing change statements to be tendered for registration" electronically. That is wonderful and I think, generally speaking, we can support that, but is that connected to the whole Polaris? Is it part of the great big machine that is going to be running our lives, by unknown persons who may or may not even be from this country?

"Financing statements and financing change statements that are in a prescribed format may be electronically transmitted directly to the registration system's database."

Some of the important features of this part, section 7, are, "The definitions of 'financing statements' and 'financing change statements' are changed so that the statements are in the prescribed form or format"—all very fine. Second, in addition to tendering statements for registration in traditional paper document form, where the statements are in the form of electronic data, an authorized person may tender them by direct electronic transmission. Again, we do not know who this authorized person is. It is someone the minister designates.

I always get concerned with some of the bills I see coming forth from this government on the issue of regulations and how certain regulations obviously can be changed at whim without coming back to this House. Subsection 6(2) talks about that. For example, it says that regulations may be prescribed, "(d) governing the filing of information that is presented in a prescribed electronic format; (e) governing the filing of information by direct electronic transmission."

I do not know the extent of all that. I understand what those words mean, but who controls the system? Can the Lieutenant Governor in Council, or by regulation can we simply assign the whole system over to a private group of people, which can be controlled, as we did in the land registry system? Is that how simple it is, just by a regulation or by a contract we do not know the terms of or any details of? Maybe it has already been signed. Maybe the deal has been cooked.

A lot of strange things are going on, particularly with Polaris, and it makes me very suspicious when a government is not prepared to provide that information when it seems logical that this information could be in that contract between the government and Real/Data. It makes me very suspicious, and until I see that, I am going to be suspicious whether Bill 126 is in that contract. The minister has admitted she cannot provide that information.

The program has been developed by the Ministry of Consumer and Commercial Relations as a result of an ongoing dialogue with its client groups. Who are the client groups? Is it Teranet? Who has been making these deals? Who are all these people? How did all this come about? I understand the logic of making a system smoother, but

there is the issue of privacy. Who is behind all this? Why will she not tell us who is behind all this?

The primary client groups that will be affected by this legislation appear to be search companies, financial institutions and law firms. Will I be able to press a button for a particular law firm? Will I, as an individual who may be controlling Polaris, who may have control of this system, for whatever reason, be able to press a button as to what sort of business that law firm is doing, around the province or anywhere? What will I do with that information? What will this company, this unknown group of people, do with this information? Literally, the family jewels will be out in the open.

1540

The question is, what is going on over there? What are those people doing? What have they given away and why are they doing it?

The bill has allowed for a fairly wide definition of "electronic" in order to accommodate a number of different vehicles for the information transfer, both now and in the future. I understand that, although I would note that the bill does not include the facsimile transfer of information. I hope the minister will have some comment on that subject. Facsimile transfers seem to be becoming more and more prevalent in other areas. Is there some logical reason why it cannot be used in Bill 126?

The ministry will continue to allow for information registration and retrieval in the traditional manner. I understand there is not expected to be any immediate cost savings as a result of this legislation. I hope the minister will confirm that. Is there going to be a savings to the government? Normally when you put forward a computerized type of system, you put it forward for two reasons: one is to make the system run smoother and the other is to save the taxpayers of the province money. Is that going to happen?

I hope the minister will also tell us what it is going to cost the taxpayers of this province to implement this system, when she knows there will not be any immediate cost savings. What will it cost to implement the system? What sort of equipment needs to be purchased and who will have control of that equipment? Again, is Teranet going to control the system? As I understand it, there are not expected to be any significant capital outlays within the personal property security registration branch to implement the legislation. I would like the minister to confirm in the House whether I am correct in that understanding.

I submit that this whole subject should be looked at as to what happened to the real property. Real property amendments came through, very innocently, to improve the real property registration system in Ontario, and we find it is not what we bargained for. The minister is quite right; it is an effort to improve the system, but what has she given away and who has she given it to? What assurances do we have that she has not given it away to, if not Teranet, another company such as Teranet or Real/Data?

When you start looking at that whole system, again we need to determine how these companies are determined. I need to question her more on the philosophy of whether it is a good thing and how it comes about and what it is going to cost the taxpayer of Ontario. But if, through regu-

lation or through other some sort of secret contract, she is going to tender out this whole system in the same way she tendered out the real property system, I think we need to look at what she is going to do. The whole bidding procurement process, I submit, needs to be looked at as to what this government is doing in that area. It would appear, from simple observations in the past—and the minister at least has not refuted it—that preferred procurement breeds favouritism, influence-peddling and corruption.

We have not seen the real surface of Teranet. We have not seen what its effects are and who is involved. Maybe these allegations are unfounded, but there has been a cloud of uncertainty as to how Real/Data came into being and whether the tendering process was proper, because the contract has never been made public.

In the United States, project details are distributed and anyone can bid. Tenders are sealed and opened publicly and all details involving the winning bid are published. The current government asks for ideas and for thoughts from competing companies; then it picks one it favours. That appears to be the system.

This whole topic was dealt with by Diane Francis in the *Financial Post* some time ago, where she questioned the whole system of Polaris. I am referring to her article which refers to the area of Polaris the Liberals set up. They set up the Polaris Strategic Alliance, which was an agency of civil servants that must negotiate and participate as a partner in the project. In that particular instance, the alliance talked with two groups. The first was a four-member consortium led by the Royal Bank of Canada called Fimtech, whose partners are SNC Group Inc, Sharwood and Co and a group of surveyors.

The other bidder was Real/Data Ontario, whose total ownership has never been disclosed. That is the system running the real property system and which I submit, unless the minister can put forward specific information, is going to be running the personal property section established under Bill 126. It has never been disclosed. We do not know who these people are. I have asked the minister in the House who these people are; she will not tell us.

Ms Francis says, "It's rumoured to be made-up of well-connected Liberals." That is an interesting suggestion, but I do not know whether it is true. Where Ms Francis got this information, I do not know. I would hope, when articles like this come forward and what I believe are legitimate questions are asked in this House, the minister would come clean and tell us who is running the system, because I submit the same type of questions, if they pass Bill 126 and it becomes laws, could be developed there. We do not know. I do not want to suddenly hear the system is being controlled by Teranet or some other system unless this whole subject matter has been made available to us.

Ms Francis goes on, "No further details are available on Real/Data, even though it got the nod this summer to negotiate a final contract." That would have been last year. "A deal was to be signed on August 3, but was postponed amid concern Real/Data's supposed Liberal base would be turned into a patronage issue during the election." That never happened.

"Real/Data appears headed to win the huge contract," and it did. President Mohammed al-Zaibak says he will not tell who the owners are because the government does not want them revealed. They do not want them revealed because the government does not want them revealed, and the government does not want them revealed for whatever reason—secret contracts, secret discussions, secret stories. Is this a secret when they are dealing with this important issue, whether it be real property, personal property or security? They should not be keeping secrets. They should tell us how much it is going to cost and they should tell us what the effects are of the whole legislation.

Mr Mammoliti: Get on topic.

Mr Tilson: I am on topic. I am talking about how the real property system was computerized, and now we find it has been given away to unknown people. I submit that is probably what is going to happen with Bill 126. It certainly is on topic.

The Polaris land registry system, as I indicated to members, has been talked about for some time, and I am sure the real property area under Bill 126 has been part of the same type of discussions. I am sure this did not just surface overnight. Polaris was first conceived by the Ontario government in 1979 and finally completed in an amendment to the act in, I believe, 1984.

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Then—and this is what I fear happened to the land system, the real property system—in July 1987 the Ministry of Consumer and Commercial Relations was of course successful in obtaining from the government the province-wide implementation of Polaris. As I indicated a few moments ago, Strategic Alliance was created, and this has come a long way from the simple implementation of the bill that amended the Registry Act back in 1984, so I think we need to look at Bill 126.

Is Bill 126 going to go the same way as the amendments to the computerization of real property? Polaris Strategic Alliance was made an equal partner between the government and industry. The government's contribution would be the Polaris technology, the local client base, an equity investment; industry would bring to the venture technical resources, business skills, equity investment, a global marketing network and extensive marketing experience.

This invitation was extended by the Liberal government to the industry to submit proposals for the Polaris contract. As I indicated, there were two such proposals; one was Fimtech and the other was Real/Data Ontario. I have indicated the amount of expertise in Fimtech and at first blush it appears to be a highly qualified group: the Royal Bank of Canada, an engineering firm, an Ontario group of surveyors and a merchant banker, which was Sharwood and Co of Toronto. Real/Data Ontario, on the other hand, was a group of businessmen who had no workforce, no capital and no track record. That is who is running Polaris. Is that the group that is going to run the personal property security area? We do not know who they are. But when we start hearing information gradually creeping out that they have virtually no capital and cer-

tainly no track record, it gives us great concern. Is the same thing going to happen to personal property security?

The contract, as I indicated, was awarded to Real/Data Ontario, but before the Liberal government had an opportunity to sign the partnership agreement, an election was called. The deal was arranged by the Liberal government. Then, of course, the NDP came to power and it was finally signed by the former Minister of Consumer and Commercial Relations on February 15, 1991.

Teranet was incorporated after that time. I am curious as to who these people are. Some of the names that I recognize appear to be members of the government, but there is a whole slew of other people. I do not know who they are. Are these the people who are running our real property section and in fact will they be running the personal property section of this province? I am going to read some of the names because I think the names need to be looked at. Some of them will be familiar to members because they are government people and obviously that was the understanding. The minister has admitted there is a partnership arrangement between Real/Data Ontario and the province of Ontario, but she will not tell us what the contract is all about, or she will not produce the contract.

These are some of the people: Philip A. Lapp, Mohammed K. al-Zaibak, Harriet Velazquez, John Sloan, David Lambden, Anne Foster, Jerzy M. Zarsycki, Patrick Monaghan, Vernon C. Parrington and Dr Marti Smye. Are there any others? Who are these people and what is the deal?

The other interesting thing that concerns me greatly is an article in the newspapers at the end of September which reported that the Ontario Provincial Police is probing this whole deal. What is going on over there? We must be assured that Bill 126 is not part of the Polaris system until we have been assured that all is well with Polaris, until we have the contract.

An article in the Toronto Sun on September 22 reported: "The OPP antirackets squad is investigating a government deal with a private company to produce a high-tech system of gathering land data. At stake is a computerized system that could be worth billions of dollars." Who is going to control it? Not this government. "The investigation began in January at the Solicitor General's request." It is a criminal investigation that is still ongoing. "A government official said the probe was prompted by a letter from Fimtech Consortium"—that was the firm that did not get the bid—"which lost the bid to go into a 50%-50% partnership with the province. Fimtech complained the process used to select the winner was unfair."

That backs up the allegations made over the last number of years as to the process that is used. Is Bill 126 going to be part of this? If it is, this whole matter should be delayed until the minister comes clean and tells us exactly what is going on in the computerization in certain areas such as real property and personal property in Ontario. We have contacts that will not be produced. We have unknown people running our real property system and we have an investigation being completed by the Ontario Provincial Police.

A quote from Mr Art Daniels, the assistant deputy minister of Consumer and Commercial Relations: "Police were given full rights to investigate...and access to the files." At least someone has access to the files. I hope they are going to see this contract. I assume they will, because this House certainly cannot see a contract of the magnitude we are speaking about. The Ontario Provincial Police is looking into it.

I hope nothing serious will develop from this investigation and that it will reveal that there has been no wrongdoing by anyone, but it is of great concern to me when, Bill 126, a bill similar to that of Polaris is being put forward in this House.

I continue with this article from the Toronto Sun: "Tom Reid, a spokesman for Real/Data Ontario Inc, which won the bid, said his firm is aware of the police investigation but unclear why it is taking place." I will bet he is aware of the investigation.

A comment has been made by Mr Reid: "I have absolutely no idea what the OPP are looking for. Nobody has told me." Are we going to be jumping out of the frying pan and into the fire? We are in a mess with Polaris. Are we going to get into a bigger mess with Bill 126?

Mr Reid continues: "There was some question of a former employee of the Ministry of Consumer and Commercial Relations, who no longer works there." Very mysterious. Why cannot the minister come clean and tell us what in the world is going on with the real property system?

The article continues: "The deal, initiated by the Liberal government in 1988, is to set up a computerized information system on Ontario's land transfers, deeds, property title indexing and mapping." As I indicated, there is no question that this computerization is of a much greater magnitude than that of personal property. It sounds very simple, a great idea, but who is going to control it? What assurance do we have that they are not going to give this one away too?

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"It involves the computerization of property records to provide land registry offices with faster and more accurate information." It sounds very similar to Bill 126, only we are talking about personal property with Bill 126. "While the previous Liberal government initiated the process, it was not completed until last February when the NDP awarded the contract to Real/Data. To date, each partner has kicked \$5 million into the project but terms of the deal require a total of \$29 million from each side by the end of this year."

What is going on? There appear to be ongoing discussions. We have no idea what they are all about and this minister will not tell us anything. The minister has made what I believe to be very flippant remarks when I have asked her questions in the House on this whole subject of Polaris. She says I am basing my information on what happened in a television show, *The fifth Estate*, which aired October 1, 1991. It is not just that. We have an investigation by the Ontario Provincial Police under way. We had reporters making statements as much as a year ago. It continues. I think she should discard her flippant remarks and deal with it and tell us what in the world is going on.

I have a transcript of *The fifth Estate*, or a summary of it, and I would like to comment on a couple of statements that were made in the television program. I think they are pertinent when you are talking about what has happened to the real property section when it is very similar to what is perhaps about to happen to the personal property section with Bill 126.

This statement was made: "The new monopoly has a mandate to package and sell public information. Critics warn it is just the start of an unprecedented encroachment on privacy." That is the crunch of my opposition to Bill 126. It is the continuation of an encroachment on privacy that obviously started with the real property area and has now moved into the personal property section. Where else are we going to go to? Has Big Brother finally arrived? Will all our facts, will all the information we have about ourselves finally be on a floppy disc and be distributed to who knows whom and for what price and why?

We have enough complaints that our names all of a sudden end up on lists for receiving junk mail. How did our names get there? How do we end up on those lists? We receive junk mail daily. Our names have somehow got on somebody's lists. Maybe it has been sold by some credit card company we deal with. Who knows where our names came from? Now we know that there is going to be a data bank that is going to have practically everything known about us. Certainly with real property it is quite clear what they are going to know.

I assure members that process is going to continue with the information Bill 126 involves, whether it be loans on your car or loans on your boat. The whole process of accounts receivable could be known, the assignment of book debts, what is going on with your business, whom you are in debt to, who holds the debt, what is the portfolio of a particular financial institution. All you have to do is press a button and if you have the exclusive rights to that and no one else has, it is very easy to obtain. What are they going to do with that? Whom are they going to sell it to and at what price? How do you get to it?

This is another statement from *The Fifth Estate* television program: "I do not believe that this is in the public interest. I do not want my information on property or what I have or what I own on it, or any other information, to be sold to just about anybody." That appears to be what is going to happen with our land registry system. Is the same thing going to happen with Bill 126, with the personal property security? We do not know, because the minister will not tell us what is in that contract. She will not produce the contract.

Who are they going to sell this information to? Who are these people who are going to have access to it? How much money are they going to make from it and why are they doing it at my expense?

A statement was made—some members saw the program—by a young woman, a municipal systems analyst, "You can ask me the names and addresses of all the females that are between the ages of 17 and 24 years old that live alone" in a particular municipality. The implications of that give her great concern. You can find out that information because you know the ages very easily on deeds or

transfers. That is all in there, so you can just press that and find out who they are and where they are. Can similar information be made available under the Personal Property Security Act by Bill 126? It gives me great concern.

Another clip came from a geographic systems analyst, who commented: "When you buy an automobile. When you register at a bank"—this is personal property security, is Bill 126; they are talking about Polaris but they are knowing how easily it can be expanded to other areas—you put down your name, address and postal code. Those are all geocoded to the centre of your block where you live. And all that data, by some companies, is stockpiled—for the purposes of marketing and analysing."

It is scary. All our personal information is going to be made available to an unknown group of people and we do not know what they are going to do with it, because we do not know what is in the contract. The minister can stand up and assure us: "Everything is going to be very fine. This company is a fine, reputable company," even though it has never done this sort of thing before and has absolutely no track record, but she will not tell us what this group of people is going to do with this type of information and similar information under the Personal Property Security Act.

Polaris is a project that was started in 1982. That is when it was launched. They used that as a pilot test program. They talked about how it meant, to use a quote from the television program, "transferring a couple of hundred years of paperwork to a computer system that can store information and maps a lot more efficiently." That is what Polaris was all about. I think we all understand that. You go to the registry office, you pull out an abstract book and you run down the various pages. Polaris would stop all that, laboriously entering the entries in the abstract book, the pulling out of instruments and studying them.

Similarly, under the Personal Property Security Act, the computerization of that system: I must confess I hope the system has improved. When I want to do a particular search on a name, I phone up—this is a complaint, if members will allow me to digress for a brief moment—I call up the registry office on the phone to do a search under the Personal Property Security Act on a particular individual, where we may be buying an automobile and we may be ordering a certificate. Quite often the information that comes back—maybe it is just me, maybe I have just had bad luck, but in many of the situations there is a language problem. I have trouble understanding what is being told to me on very complicated information, particularly when you are listing a series of numbers for the registration number. Some of these people cannot even pronounce the numbers.

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The concern with Polaris, which expands into the personal property system, is that you take all the information that is to be used, inscribed in the ledgers and you put it on a computer and it will be available at the tap of a finger. The same thing will happen under Bill 126. That information will be quite similar. It will be a gold mine of information to some group of people. Again, we do not know, because the bill does not say that. The bill does not say this

information is going to be given to a group of private individuals, but neither did the amendment to the Registry Act in 1984. It did not say that either. All of a sudden, between the Liberals and the NDP, they cook up a contract that is signed unbeknownst to anyone else—we do not know what is in the contract or what the terms are—giving away all our land registry information. Is the same thing going to happen, unbeknownst to anyone, with our personal property security legislation?

Dr Lapp, one of the individuals who incorporated Teranet, was on the television program and said: "Let's be clear as to why the government went out at all on this thing to the private sector. If it was just to implement Polaris in Ontario then they could have done it in-house. But there was more to the vision than that. The vision was to develop a LRIS industry—a land-related information system industry in Ontario and to create the jobs that go with it."

We do not know what jobs are going to be created by this system. We do not know anything, because the minister will not tell us. She just says: "Trust us. Everything's okay." It is very suspicious when someone says that to us. It is our job as members of the opposition to find out what in the world those people are doing. If we have to do it through Bill 126, then we are going to do it through Bill 126. Somehow we are going to find out that information, so she might as well come clean and tell us, because that is how we may or may not be assured that she is not going to give away all our personal property security information in the same way that she gave away all our registry system.

The show did talk about the contract. Someone on the show did see the contract, because some terms were mentioned. This is the scary part, what has been summarized in this contract. They talk about Mohammed al-Zaibak as president and chief executive officer of Real/Data Ontario Inc. It became clear in the television program that he runs the company and that Dr Phillip Lapp, the individual I referred to a moment ago and who is referred to in Teranet, is the chairman.

The technical companies which originally promised to support the project have now bought shares. I would like to know about that. I would like to know who these people are. As has been indicated in this House as a result of questions to the minister, Real/Data and the government have given birth to Teranet, a company which will have a monopoly on the land registry system. Will Teranet have a monopoly on the personal property registration system as well? Will Teranet know everything? Will Teranet be Big Brother?

The program quoted some of the provisions in the agreement which gave Real/Data 60% of the common shares of Teranet. The government gets 40%. The private sector controls the monopoly. The government and Teranet split the profits 50-50. It is very strange. Before the government had all the profits. The Ministry of Consumer and Commercial Relations was the only ministry in Ontario that made a profit. They have given it away.

The provisions, as relayed by the TV program *The Fifth Estate*, state that Real/Data will pay the province for Polaris out of future registry revenues. Whatever it makes in the future, that is how it will pay for this. Is the same

system going to occur with respect to personal property, with respect to Bill 126? This is an astounding fact, an astounding provision which I hope the minister will deny or admit. Better yet, she should produce the contract and establish to us that this does not exist.

The government guarantees Teranet a minimum revenue flow. What does that mean? What is the minimum revenue flow? How many millions? What is the profit that the government is guaranteeing and what is that going to cost the taxpayer? Is there a similar scheme set up with respect to Bill 126?

Teranet may make agreements with any government or agency for new data sources. That is astounding. That means Teranet can go anywhere. Its data bank is going to be indescribable. What they will know about the private individual in this province scares the heck out of us, and if it does not, it should. When we start realizing the information that Teranet can get in its exclusive hands, whether from the government, assessment departments, land registry offices or the data bank that is going to be created by Bill 126, it is astounding what it will know.

It is all in the hands of a select group of people. What are they going to charge you to get that information and who are they going to give it to? Freedom of information and the restrictions put forward by the Freedom of Information and Protection of Privacy Act have become a joke as a result of what this government has done.

Finally, the most astounding section in the agreement if it is true—and the minister can prove it is not true by producing the contract, which she has indicated she is not going to do—is that both sides agreed to keep details of the agreement secret for ever. Can members believe that? A government has entered into a contract involving our land registry system and probably our personal property system and the provisions of that agreement are going to be kept secret for ever. The people of this province will not know what has happened, who they are dealing with or who has got it. Has Big Brother arrived? I hope not.

There was another quote on the television program which made the interesting observation that this is a government service we should have, and indeed it is. Indeed it is a simple system with respect to personal property, whether it be under Bill 126 or any simple system of obtaining information other than the laborious efforts that exist now. Obviously that needs to be improved. I emphasize that this is a government system we should have.

One of the people who was interviewed in the television program said, "I don't think they should be getting into bed with private enterprise to attempt to continue rendering this service." The emphasis is on the word "service." People have to understand government service versus government business—two different things. Government business and government service are two different things. This is a service to the public, so you do not assign it away to some unknown group of people.

There were some statements made on the television program that the old registry books have always been regarded as a service to the public you could take for granted for a nominal fee. Then it goes on to talk about the brave new world of Polaris. The system will become a business

driven by the need for profit. Teranet is in there to make money. They are in there to make a profit. Are they going to do the same thing with personal property security? Are they going to do the same thing with Bill 126? Are they in there to make a profit?

The right to information will inevitably be affected by the ability to pay. But that is not the biggest concern. Critics fear that some day customers, for the right price, will be able to direct the nimble fingers of the computer into the far corners of our privacy.

I ask the minister to tell us how in the world she is going to assure us that this will not happen when she will not produce the contract with Real/Data Ontario, the partnership agreement that was set up even before Teranet came into existence. How is she going to assure us that our privacy, whether it be in land registry or personal property, will not be taken away completely?

It goes on to state, "You can see that we have the room number, owner's name, mailing address, city, province, postal code, year of birth, month of birth and school support identifier, and that is just some of the information available on the assessment database." It certainly is, because now we are going to be into Bill 126. What is available under Bill 126? What is available under the Personal Property Security Act? A whole slew of information whether you own a car, what the car is, what the debt on it is, what your indebtedness is to an individual or an institution. It will tell you all kinds of information about your business and what sort of financial difficulties your business is into. Specific details all at the press of a button. You can press the name of Marilyn Churley and instantaneously find out everything about her.

1620

I would like to read one of the final statements from the television program on this subject. It has to do with how the computerization of land registry adds to what is already an encroachment on our privacy. I submit the same type of statement can be made of personal property, because this is another stage in the computerizing of everything. Who is going to control that computer? Who is going to have access to that keyboard?

The market for this information is enormous. Take what is on these records: your name, your address, your mortgage value—and you can probably link that through address and other information to other databases—the number of children you have, possibly your income, and on. It is a wonderful marketing database. Give anyone that database for a long period of time and they will sell it to everyone across the country, if they are free to do so.

The issue is, it is very powerful. It is great for some administrative purposes. The danger is, it is now in the hands of the fox in the henhouse, and not in the hands of the farmer looking after the farm—a very interesting analogy. Who is the fox in the henhouse and what are they doing to our land registry system and our personal property system? Who are they?

I see the minister feverishly writing things down over there. I am glad she is doing that, unless she is writing about something else. I have a couple of questions for her and I hope that some time throughout this process she will

in a position to answer them. I can tell you, Mr Speaker, she does not answer them today, eventually I am going to ask the questions of her, so she might as well make notes.

I would like to know the management of the Polaris project, and I say that because I believe it is tied in with Bill 126, the whole implementation of computerization of the personal property system. I am concerned as to who is running Polaris and how they got there. Is there going to be a similar process with the Personal Property Security Act, Bill 126? If not, if they are going to have another process, I would like to know about the process. I would like to know how Real/Data got there, and if not Real/Data, how another company is going to get there to run Bill 126, the personal property computerization.

My question of course is about the selection of Real/Data Ontario as the government's joint venture partner and the Teranet Land Information Services Inc, the Strategic Alliance Corp created to implement the Polaris subproject to market Polaris technology internationally and to develop a competitive land registration information industry in Ontario. We know that is in existence. What we do not know is what is to come. I do not want to hear about this after it has happened. That is what happened with real property. Is the same thing going to happen with personal property? Are we going to hear about it after it has happened?

More specifically, I am going to ask the minister some more about this process. I believe it is in order, Mr Speaker, because it is an extension of Polaris. The terms and conditions of the partnership agreement between the Ontario government and Real/Data Ontario Inc, signed February 15, 1991—I want to know whether the contents of Bill 126 are in that agreement. I want to see the terms of the contract. I want to see the contract, and if the minister cannot produce it, she had better have a good reason other than a clause that says it is being kept secret for ever. That is not an answer.

I would like to know whether the process that resulted in the selection of Real/Data Ontario as a partner was conducted in conformity with and whether Real/Data Ontario satisfied the criteria established by the Ministry of Consumer and Commercial Relations for the selection of a private sector partner. If the same is going to happen with the computerization of Bill 126, I do not want this government to make a mistake twice. If they have got a group in there that should not be there, let's hope it is not going to happen the second time. I do not want Big Brother in the province of Ontario.

I would like the minister to provide an opinion as to whether the selection—and she must know. I realize the Liberal government was the one that brought this forward, but was it politically influenced? I would like to know about that. I would like to know how it happened. Can she not tell us? She does not seem to have a proper process of rendering. She does not seem to have a system. It is almost like eeny, meeny, miney, mo; who is my best friend?

I do not like to make those types of allegations, but it concerns me when I see a company that has very few qualifications that have been revealed to us. If they do

have qualifications, I would hope the minister would reveal them, but they do not appear to have the qualifications to be running a gigantic land registry system.

If that has happened, I want to know what is going to happen with the provisions under Bill 126. Are we simply going to have some regulations passed one day or some mysterious unknown contract that is going to be signed in the middle of the night on terms that we will not know anything about?

The Polaris project is worth an estimated \$5 billion to privatize and computerize the land registry system in Ontario. I would like to know—and I hope the minister is going to tell us before we proceed too much further into this legislation—what it is going to cost. There is a certain amount of computerization already, but what other costs are there?

Although on the one hand I think it makes the wheel run smoother, there have been some criticisms directed towards Polaris. With the computerization of the land registry system, one can say that errors will be eliminated. But some evidence has come out of certain areas that says this is not necessarily the case. Who is running the machine? If you have a typing error, whether it be in the registration number or the description of a name, and it is going into the computer system as described in Bill 126, that can have serious ramifications, human error entering into the computer. Once it is in there, if it is accurate, it is going to be wonderful. It is going to be wonderful, accurate machinery as opposed to the system we have now. But it is getting it there.

How efficient is the proposal put forward by the bill going to be? It has even been stated that errors are more numerous with computers than by hand—this is with respect to Polaris because that is all the information we have; she will not tell us anything else—than with the abstract books. Another criticism with respect to Polaris has been—the same criticism, I submit, can be applied towards Bill 126—that automation does not customize the system on an individual basis, as we have now.

Those are my concerns. I am winding up. I have finished my submissions. I support the principle of improving the system. I have grave fears as to what it is going to do to our privacy.

1630

Mr Cousens: I would like first of all to thank the member for Dufferin-Peel for his remarks. I think it is rather excellent when someone has done the research by examining the bill in such detail and has indeed shed an awful lot of light on this matter.

What I hear the honourable member saying is that although the philosophy of the bill and the approach being taken have much merit, there are some concerns that need to be raised. I would like to acknowledge the concerns that were being echoed by this member when he talked about the Polaris project and the way in which the government has taken that. Almost by fiat they have made something out of nothing. Now we have an example where the government has placed the power, control and information in the hands of private industry and out of the hands of

government. The concern the member raises, that it could happen with other forms of information, really becomes a matter of concern to all of us. When the honourable member raises these points, I think they are worthy of very serious consideration by this House.

Very often what happens is that the government, in coming forward—I am going to be speaking to this bill separately when an occasion arises—just assumes that because the idea sounds good on top it is okay. Underneath it there seems to be an awful lot more that goes on that really needs to be considered.

I would just like to go on record and acknowledge with appreciation the kind of leadership the member for Dufferin-Peel has taken. The remarks he gave really struck a chord with me. I hope the kind of thinking he represents will cause the ministry to think more seriously about some of the ways in which this bill can be implemented, and that has to do with the way in which regulations are developed.

Mr Tilson: I have pretty well had my say because I think we will be having—

Hon Mr Pouliot: Thank your colleague.

Mr Tilson: I will thank him because I think he certainly is appreciative of the concern we have that you are giving away the privacy of individuals across this province. You should be concerned yourself, Minister, as to—

The Acting Speaker (Mr Farnan): Order, please. I ask the member to address the Chair.

Mr Tilson: Yes, Mr Speaker. I will only reiterate what I have said. My major concern is not with the attempt to improve the system. I congratulate this government for attempting to improve the system, but we should be continuing to try to improve the systems we have, whether it be in the registration system of land registry or personal property or any other type of system. We should be continuing to try to improve those systems. At the same time, we should be analysing them and wondering what other problems are being caused. Is the system going to be made worse? I have raised a couple of questions about accuracy when entering information into a computer and the grave financial issues there can be if the information has been put into the machine incorrectly, and people will not even know it.

More important, my concern is with respect to the whole area of privacy. Quite frankly, I do not feel we should be allowing Big Brother to move into Ontario.

Mr Cordiano: I want to make a few further remarks with respect to this bill. I want to deal with two issues initially with respect to concern over security breaches, which has been pointed out and I am sure the minister is aware of.

I want to point out to the minister that even though the flow of information will be one way, the legislation does not address the whole question of security and what will be in place to ensure security is a priority. We want to assure ourselves that security will be a priority and that the minister will be addressing this at some point in the future. Earlier in her comments the minister made mention of her awareness of this and that efforts will be made to ensure that security is not breached and that it will be a priority.

The other thing is that if there is a security breach, one of the implications is with respect to liability for such breaches and who is going to be liable. That is very much a concern.

The other concern I have with respect to security and breaches of security is that if there is a technical failure within the system there could be a loss in priority. Creditors might lose their priority with respect to personal property secured under the Personal Property Security Act due to computer failure of some kind. That is an important and crucial consideration for dealing with financial matters and setting priority for creditors. I think the bill should deal specifically with who is liable for economic loss as a result of such failure. Is it the ministry's responsibility to cover that kind of financial loss? If so, then it should be detailed more specifically. I think the minister wants to address that at some point.

Finally, I want to say briefly that in her role as Minister of Consumer and Commercial Relations she should start taking action on some of the things that were promised with respect to the consumer protection code, the bill on rights that was supposed to come forward and we have not seen anything yet.

Also, as I tried to point out to the minister in a question last week some time, she should please give the Ontario Film Review Board more direction with respect to approving films for certification. It is not good enough to allow the police to go in and lay charges—

Interjection.

Mr Cordiano: The films they are laying charges with respect to have been approved by the minister's own board, and I think the minister wants to be careful with that.

We also have concerns at this time with the Ministry of Consumer and Commercial Relations with respect to closings of various Brewers' Retail outlets. I know the minister is going to take some interest in ensuring that consumers have a good selection and have access to Brewers' Retail outlets. I have not had an opportunity to ask her a question and I just wanted to get that in there as one of my concerns. The minister should bring this initiative forward. We want to support her in that effort.

The Acting Speaker: We have been quite generous in allowing the member to stray somewhat from the debate and I would encourage members following in the debate to focus on the issue.

1640

Mr Cousens: We are dealing with Bill 126, An Act authorizing the Filing of Information in an Electronic Format under Statutes administered by the Minister of Consumer and Commercial Relations. I understand this is probably the first bill brought forward by the minister. I am pleased to see that she is bringing one forward that has such implications to help a province enter the 21st century.

What we are talking about is the ability to be able to use the computer as a way of entering the information needed for registration of all the different forms that are needed across Ontario. There are excellent examples where in fact the system is working well now. Anyone

who gets his driver's or his vehicle licence goes to the agents across Ontario and is able to see a system that follows the dealers who are responsible for those—I think we call them dealers or agents of the province of Ontario—to make the data required for that person's driver registration and enter them into the system. Then they are transmitted to the Queen's Park bank of computers. The whole system now begins to make sense.

As we take the logic of this kind of bill to its next level, it really is inviting other areas of the government to start doing the same kind of streamlining of administration that will allow them to take advantage of electronic data processing. I see that as the whole idea behind this bill and support it for a large number of reasons.

I think there is no doubt that accuracy should improve. The amount of data that will be in the data banks will assist not only the people responsible for each of the areas in which the registration is done—they are probably entering most of the data on computers right now—but when you have them entered right at the beginning point, then the data are going to be there and you can do a far greater analysis of them as you go through them: how many more registered this year or last year, what the payments are, just the whole pile of extraneous data that will then be available to the government in order to assess and monitor each of these different registration groups effectively. Indeed, as this bill is structured, we are talking about one particular area that is going to be subjected to the first test, the Personal Property Security Act, and then I start raising my questions.

I have a number of negatives to raise with regard to this bill, but on the positive side, as one who has been involved with the data processing industry for well over 25 years, I understand how the industry works. I understand the way in which government really has to start taking advantage of it. If anything is a surprise, it is the length of time it has taken the government to get to this stage. That really almost typifies government at its best and worst. I do not want to see government leading the pack so far ahead of the rest of the industry and the world that the government is setting the pace for things.

The government has done that on salaries for its civil servants so that in fact we have outpriced people in private industry, because government is really one of the highest-paying groups in Ontario. It traditionally has been and I think that is a danger, especially when you have such job security. You wonder then why government pays such high amounts. There are examples where government has gone ahead and led the pack, and I feel that on this subject it is a little bit behind.

It is behind by virtue of the fact that the capability is there now for a government to collect its data and keep them private. The security around those systems is such that no one, other than those who are authorized, is going to be able to obtain or use the data or work with the information. That really has to be very important. Anyone who is going to be getting into the data files and the databases that are in the government systems really has to be an authorized person who has the security clearances that permit him to get into the data and make changes. Again, if

you are going to make changes to the data, that is another level of security.

The whole system is such that you can be protective, protecting first of all the interests of those in our province who are being served under the different groups that will now be entered into the systems in a computerized way, but also protecting the rights of the government to have the proper control over its data. All those things become key. They are essential to having a system function the way it should. We are in a position now where the sophistication of the systems, the level of experience that has been obtained in other systems and the capability of vendors in the computer field to provide equipment and services to assist the government in doing this all begin to make good sense.

As we look at it, I also believe it is going to be a value-for-dollar thing. There is no doubt that as the government begins to computerize, there are going to be benefits. Not only the additional information, but the dollar benefits should certainly accrue. When the minister has her chance to respond to my comments, I would be very interested in knowing the total dollar evaluation. Anything the government is doing should have a thorough analysis of the cost benefits it is going to have, and I would be most interested in knowing how that will apply, particularly to the Personal Property Security Act.

I would be interested in knowing how many dollars are being spent for new computer equipment. What is the duration of the equipment? How long is it going to last and be in place? What is the cost of the software and the installation of all the packages and services that are going to go around it? Is it going to require additional computer equipment, not only at the local level, but also at the provincial level?

I am so pleased to see the member for Mississauga South come. There is one of the most law-abiding citizens of Ontario, especially when she is doing service in the House. It is a little aside, but I cannot help it, Mr Speaker, when she comes by and does not have to be helped up the step.

As we talk about this, I want to see an economic analysis of this bill. If we are in a position to see that and understand that the minister is not going to do this for nothing—dollars are going to have to be spent—what are the savings? If the minister is able to delineate with a really clear sense of what those dollars are and what the future dollars are going to be—over a five-year period would be sufficient for me; I am sure she would have required that as minister—it would be important for us to have it in the House.

As I look across, I do not see the minister nodding that she has that information or that she is going to be able to make it available, and that gives me cause for great concern. If she does not, maybe we should see that the bill is tabled for a while and then brought back when the minister has that information. For us not to have that kind of information right now—obviously, with the implementation of this bill, dollars are spent. I know the New Democrats have a way of spending money when they do not have it. They are just absolutely fantastic at building a deficit when Ontario cannot afford more of a deficit. Is this another

opportunity for them to explain away the big deficit of \$9 billion, \$10 billion or \$12 billion in Ontario?

I do not think we should be doing anything here any more without understanding—we have seen it under the Liberals. We saw how they spent the money and did not get much for it. That is why you are all sitting over in opposition now. You have finally had the lesson taught to you by the province. Part of the problem we are facing is the fact that you just did not know how to control the money while you were in power. You ended up saying you were going to have a surplus and you did not.

The Acting Speaker: Order. The member will address his remarks through the Chair.

Mr Cousens: That is a good idea, Mr Speaker. I will address them to the Chair. I would hope you have more control over the government than I do, since you are one of the members of the New Democrats, and that you will be in a position to—

Interjection.

Mr Cousens: Well, the honourable minister has a black suit on today—

Hon Mr Pouliot: Have respect for the Chair. Wow, I can't believe this.

The Acting Speaker: Order. I think the member will recognize the neutrality of the Chair and refrain from such comment.

Mr Cousens: I just wonder how the honourable member in the Chair is going to be voting on this when it comes time to go into the House and when we—the member is in the Chair right now. I could be sitting around here 20 minutes or two days or two weeks from now and the honourable member, who is the Speaker at this point in time, could be out of that Chair and sitting over here. At that point the honourable Speaker becomes one who does have a partisan interest in this.

Interjection.

Mr Cousens: I am staying on the subject.

The Acting Speaker: Order. I do not think we have to go through a lesson in this. I will remind the member that once in the Chair, neutrality prevails, and I would appreciate it if the member recognized that fact. It is essential to the proper running of this House.

1650

Mr Cousens: I think the Speaker understands his job very well. I also understand the reality of it, so we will just keep that intact.

We have raised the point, and I just cannot let it die. I looked for some kind of clear, concise statement from the minister on the financial implications of Bill 126, and I would be very reticent not to bring that forward. Anything we do in this government has some kind of financial implications, and I just have a sense that the government, when it comes forward with a good idea, may not in fact have done its homework and put together the financial scheme of things. That is part and parcel of the point I am trying to raise. I am saying that as someone who supports the whole idea of moving to data processing and using electronic technology, as we are capable of doing, but I also believe it

is to the taxpayers' benefit to know just what it is going to cost and what is going to be done.

That leads to my second point. The illustration that is used in this bill, the Personal Property Security Act, is the first of a number of areas that are going to be computerized. I would like to have a sense of what other areas are going to be tackled by the Ministry of Consumer and Commercial Relations. In fact, I would like to have a clear statement from the ministry indicating how many different areas there are within the ministry that could be computerized and could eventually fall under the terms of this bill.

We will then know that, okay, these are all the different registration acts, whether it is going to be real estate agents or insurance agents or whatever, and that they all fall into the category in which registrations will be computerized in this way. I am not disagreeing that they should be. I just want to know what is going to be included in this bill.

I think the Legislature should have had this kind of background information given to it prior to this being presented to the House now. It was tabled for first reading on June 13, and the kind of background information that would make it very easy for us to deal with it in the Legislature today has not been made available.

I do not blame the New Democrats for this, nor do I blame the Minister of Consumer and Commercial Relations. She is a new minister and I know how conscientious she is, but I do not think anyone has been giving the kind of information to this House that should have been given. The government sure does not have a good example with the Liberals, so it should not rely on them for a good example. The Liberals have shown us their arrogance for a number of years, and the day we come along and mimic them, as the government is now doing, is not something it should be trying to do.

And so, Mr Speaker—we have a stern Speaker here, do we not? But I am very pleased that you are in the chair and not up behind me. It is hard to be nice to a Speaker who is going to come along and cut me off at any minute.

The issue still stands. The New Democrats have not learned any lessons from the bad deeds of the Liberals before them and are continuing to operate this government in the way in which they were so critical of the Liberals when they ran things. All I am asking this minister to start to do—it is not too late. The response that the honourable minister will be able to give to my remarks and those of the member for Dufferin-Peel and others who have participated in this debate will be enough to allow her to give us the kind of background information we should have had at the very beginning.

I am saying then that we would know in detail what other areas of government are going to be computerized in this way, the sequence that will be followed, and the kinds of dollars that are going to be required to implement each of them. Are we going to be able to use the one system, or is it going to be many different systems? Are we going to have a number of different types of software bought or implemented by Ontario government employees or by outside employees in order to do it?

I would like to have a sense of just what the long-range projection is. In other words, over the next five years, who

se is going to be computerized in this way, how much cost is going to be associated with it and what are the benefits that are going to accrue to the province when that is done?

I have to re-emphasize, because the memory span of the minister or others may be such that they are going to think I am opposing the bill for that reason, that this is not the case. I am going to oppose the bill for another reason, but what I would like to do is have—

Interjection.

Mr Cousens: There are a number of things you have to get out on the table before you start voting. There is another issue that really touches on something that the honourable member for Dufferin-Peel mentioned earlier, but I stay on this: If the minister is in a position of having a list of all those different areas that are going to be computerized, I would be very grateful if she would even pass it along to me so that I could just refer to it.

Certainly I made the point earlier that we are pushed to approving bills in this Legislature without all the information we need. That really touches on my third point. The information we do not have and are not going to have as it pertains to this bill has to do with what the minister can do at her whim at any point in the future.

Buried in this bill—and it is not a long one; we have seen many that are longer—on page 3 is subsection 6(3). Let me read it first and then comment on it: “A regulation made under a designated act may apply to some or all of the information or documents that may be filed under the act.” I interpret that particular paragraph as meaning that a regulation can be a change in plan, a new design or a new twist or turn that the minister decides to have with regard to this bill.

Subject to the counsel of her advisers, the deputy minister and those who are involved in her ministry, the minister may come back with a regulation that says: “I’ve decided I want to make a change in how this bill is going to be implemented. I’ve decided that I do not want this information to be under the Ministry of Consumer and Commercial Relations any more. I would therefore like to suggest that this bill now refer to a private group such as the group we have referred to in Polaris or to some other group that is no longer under the control of the Ontario government.” So all the information that is coming into the Ontario government now through the collection of registry information of different types, as it will pertain to this bill, would at that time be directed not to be handled by the Ontario government, but by some other agency.

Who knows how this agency would be created or structured? If it is like the agency that has been set up under Polaris, there is a secret agreement between the province and a private industry group in which the province has shares. The group has total control of the information and has an agreement from the province in which it is going to be subsidized for the services it is going to be providing. Are we then in a position that in the future, on a whim or at whatever time the minister decides to do it, the ministry can say, “We’ve decided that we’re going to send this off to someone else to look after”?

If there is anything that concerns me, it has to do with the control of information. Control of information is one of the most essential things giving people a sense of knowing that their privacy is protected, that what they stand for and what they are all about is not public domain. When the public has a sense of controlling private information, that is not the way it should be.

For instance, one of the things we have seen protected as much as anything is the patient information in the health care system in Ontario. My wife is a health care professional who carefully protects the information of all her patients in a way that ensures it is personal, it is private, it is secure. Those data and that information is very closely monitored and controlled. It is not something that can ever find its way outside the service area of the patients and the system for which she is responsible. That kind of protection is sacred to the extent that patients know their records are confidential and protected.

1700

I have a sense that people feel much the same way about their own personal data as they are collected, maybe not to the same extent but at least to some degree. They have a sense of trust when the Ontario government is responsible for information pertaining to their property records, their personal records, their professional status in associations, whatever it might be. There is a host of those kinds of registrations in which people are required by law to have up-to-date licences and permits in order to transact business or to carry out their professions which are administered and controlled by the Ministry of Consumer and Commercial Relations. I am not even sure how many there are. There might be 100, there might be 200, but there are many of them. The information that is within those files has to be protected from outside viewers so that only those people who are authorized to deal with the information and only those people who are privileged, such as people within the ministry, are given the permission and consent to deal with it.

Let me just make one comment here. I do not think in this House we have a chance to compliment the civil service in the province sufficiently. I think we are very fortunate that the bureaucracy, some 80,000 or 90,000 people who serve and support the laws that are passed in this House who are there in all the different ministries, are doing an outstanding job in administering the will of this Parliament.

As they have gone through the different governments that have come and gone over a period of time, the one staying power and the one continuing good fact is that the civil service of Ontario continues to provide a very high level of service. The quality of that service, the commitment they give to quality—I have used the word “service” again—to back up and support the people of Ontario is something I personally would like to go on record again as supporting. I know that the honourable member for Nipissing, the leader of our party, and our caucus believe that Ontario is well served by the civil service.

Mr Drainville: Hear, hear.

Mr Cousens: It is not for us to criticize them for the fact that they are working with a government that is misdirected and is doing the wrong thing, but it is their job to—

Interjection.

Mr Cousens: When I had a “hear, hear” from the honourable member for Victoria-Haliburton, I just had to come along and give him a tough time. Is the member disagreeing with me?

Mr B. Murdoch: Yes.

Mr Cousens: There may be a few examples where others might not feel as good about it, and there are always—I am dealing with the bill. The Speaker started waving the bill. I saw something white in front of his face. I did not know what it was.

Nothing is perfect, but I have to say that the existing systems have worked well, not because of those people, the government, but because the bureaucracy and the system have been able to make it function.

I have to say I do not know why it continues to cost us so much to have such a large civil service. I would think that when we are implementing all the data processing and high-tech services, we could see some costs coming down. I know in the first five years I was elected, from 1981 to 1985, we saw a certain amount of attrition and the size of the bureaucracy went down by 5,000 or 7,000 people. When the Liberals came to power, it went up by 5,000 or 7,000. Now with the New Democrats in power, they are adding more and more civil servants.

Notwithstanding that, I would hope one of the cost benefits that is going to come out of the kind of high-tech revolution that is starting to hit Ontario is that we will see some reduction in costs for bureaucracy and the number of people it takes to run these systems. When you get away from manual systems to computerized systems, surely at that time you are going to derive benefits that were not there before, not just the speed of getting information, not just the accuracy of the information, not just the fact that you have got it at your fingertips, but also the fact that you do not have to enter it many times over, that you do not have to make the corrections many times over, that in fact you have it entered at the field level once and it should be correct throughout the system. I do believe there should be some reason within this bill that can show, once it is implemented, a reduction in the number of people within the Ministry of Consumer and Commercial Relations from the number there today, and that indeed could be one of the cost benefits.

I was off on a bit of a tangent there and I do apologize, but it does happen once in a while. I do not mean to take up the time of the House, but at least one of us can compliment the bureaucracy. I know the honourable member for Victoria-Haliburton happens to agree with most of what I am saying and I am really grateful for that, except when I start criticizing his minister for this one section in the bill.

Why do they not, when we take this to committee, give serious consideration to taking away that power they are trying to give themselves with this bill? Why not back off? It is the kind of thing that the Premier, when he was in opposition, would have had a great deal to say about, be-

cause at that time he had an awful lot to say about how government was functioning and was so critical of everything that went on. Now that he is sitting on the other side of the House, he has a new sense of just how things should be and in fact has forgotten 99% of what he was saying when he was in third-party status or opposition status. Now he is in government, he is going to take full advantage of the power he has for the next three and a half or four years to achieve whatever ends he wants.

I am concerned when government starts having overriding powers over the whole administration of the system without bringing it back to this Legislature for debate and further consideration. What they are in fact giving the minister in this bill, through this small paragraph, is additional power to change the bill, almost at will, so we are not then in a position to really know what she is going to do. Is she at that time going to refer it to an outside agency such as Polaris? That is the point the member for Dufferin-Peel was raising earlier.

I just have to challenge the minister in regard to the regulation. If she is able to give us some satisfaction as to what that regulation is going to read like, that would be helpful. That leads us to the whole question of all the regulations surrounding this bill. I would be interested in knowing—this is another question for the minister to put on her list of remarks to make in responding to it—are the regulations in place for this bill, so that the House can know what they are?

Often what happens is that the bill is brought before this Legislature, we consider it, and the very regulations that are going to implement it and bring it to reality are not developed until some time after we have given third reading to it. What astonishes me is that the very regulations that are going to be the rationalization for the bill, the interpretation it is given and the way it is going to be implemented come out much after the fact. I think the Legislature should have those kinds of data before the fact, rather than after it. So I would very much like to know the status of the regulations as they are being prepared by the ministry.

The one fundamental issue I want to deal with is the concern as to the control of the data of people in Ontario. If there is one thing that has to be kept secure and guaranteed that it is not going to get into the hands of private enterprise or people other than government, then that becomes the matter we have to address in this House. We are dealing with an age in which people are worried enough about Big Brother having more information about them than should be possible. Once you start having information on computers, you are in a position to have that information used for a wide variety of purposes, not just for the ministry's purposes, but if it gets into the wrong hands, for solicitation and all kinds of things. If a criminal source got hold of that information, it could give them tremendous powers.

I would be very interested in knowing that the information that is going to be on the systems here in Ontario, according to this bill, is going to be 100% secure and is going to be 100% controlled by the province. I am satisfied that computer technology is in a place now where we

to guarantee that kind of security. I know there are databases in which we can have rings and protection around them. There are many ways in which those systems can be designed and developed so that strangers and people who are not qualified to touch those data cannot reach them. I am satisfied that can be done.

I am satisfied as well that the Provincial Auditor, in his next report, I understand, is going to have some discussion on the way in which computerization has been done in Ontario. I think the Provincial Auditor will continue to monitor just how data are being protected for people in this province. I hope the minister can make some commitment that underlines the importance of that kind of security. The second aspect is the whole issue of—

10

Mrs Marland: This is so boring.

Mr Cousens: Mr Speaker, I have just been wounded. I cannot believe what the honourable member for Mississauga South has just said, and I have tried to be so nice to her this week.

Mrs Marland: The honourable member said he would help me up the stairs.

Mr Cousens: I was just kidding. The point I am going to close with is the best interests of the province of Ontario, that the data is not going to get into private hands the way in which the Polaris project has. That is the issue my friend the member for Dufferin-Peel has referred to.

If anyone watched *The Fifth Estate* on October 1, they indicated in "The Data Game," which is what they entitled it, that a new monopoly has been formed that has a mandate to package and sell public information. Critics of that program have indicated that it is just the start of an unprecedented encroachment into privacy, and I want to make sure that the privacy of our Ontario public is protected by whatever regulations and whatever actions can be taken by this government.

There is much to be said on this. We are inclined to support the philosophy of the bill, but because the bill gives such unprecedented and continuing power to the minister to make decisions by regulation outside the House and without having to come back to the Legislature for approval, it is important for us to make sure that those decisions are made here, where they should be made, and not in the privacy of some boardroom of the Ministry of Consumer and Commercial Relations.

To that end, we have concerns. We would be very interested in seeing a response by the minister on the issues I have raised.

Mrs Marland: I want to comment on the honourable member for Markham's contribution to this debate, because his contribution has been significant. It has had very remarkable content, and in spite of his humorous asides, I think his speech this afternoon has been very important.

This is a bill that is of great concern to those of us in this caucus, and it might have been of great concern to the members in the government caucus had they had the opportunity to express their understanding of the bill as we have in opposition. In normal rotation, after the member for Markham spoke, there would have been an opportunity

for a member of the government benches to make comments, even in this two-minute portion we are presently in. I notice that nobody rose to the challenge to address the comments either to the bill or to those comments made by the member for Markham. It is probably because the member for Markham is a particularly articulate and able speaker that no one could rise to make comments on what he had said. I am sure the member for Markham has expressed so well everybody's concerns that what will now happen is that everyone in this Legislature, including the government members, will see fit to vote against this bill because they share the same concerns.

Mr Tilson: I think the people of Markham should be pleased with the performance of the member for Markham this afternoon. This is a very difficult topic, the whole subject of the computerization of the personal property security system, and it takes a certain amount of knowledge, which the member for Markham has, to properly summarize the concerns he has with this specific bill.

The information he has requested, and which I have requested in my remarks, is the whole issue of cost: the cost of implementation, the cost of where this government is taking us with Bill 126, because that has yet to be mentioned.

The second point the member for Markham referred to is, what else is going to be computerized? Where is the government taking us? What path down the Yellow Brick Road is the government taking us in the whole issue of computerization? He asks the question in all innocence. It is not that he is against it; it is simply that so many of these bills are interwoven with respect to this bill. I think it is a legitimate question to ask.

As in many other bills that have previously been put forward by this government recently, is the generalization of what can be done through regulation. I think to properly understand where the government is going in this specific bill we are entitled to see the regulations. The power the minister has under this bill is quite broad and I think we are entitled to know that before we vote on the bill.

Finally, of course, there is the whole subject of privacy. Will our privacy be taken away even further as a result of the implementation of this bill?

Mr Cousens: I want to acknowledge with great appreciation the comments from the member for Mississauga South and the member for Dufferin-Peel.

There is a really good thing that happens within our caucus that has to do with the kind of debate we have on bills and the freedom to think for ourselves, to come forward with a consensus based on a sense of what is needed in industry and government and balancing the two off. Both of the previous speakers, the members for Mississauga South and Dufferin-Peel, try to bring that to everything we do here as a caucus and I think it separates the Conservative caucus very much from the ideologues that have been elected that now form the new social democratic government here in Ontario.

What we really are looking for—and I really appreciate the fact that the member for Dufferin-Peel touches on it—is to protect the privacy of everybody in this province. We are interested in getting value for money, in seeing things

function more efficiently and effectively, but it all boils down to service and privacy, and the government should not give that away. The service must be there and there are many ways the whole level of service by this province can be improved. There is no doubt about that. But in dealing specifically with this bill, let us not forget about the rights of the individual to be served competently and fairly and completely and wholly with a sense that whatever they have in the government records is not going to be public domain. It has to be kept private.

I am anxious about the way this government is going by giving itself great power over that data and what it is going to do with it. It is too important to frivolously give away.

I thank my fellow members from the Ontario PC caucus for their support for these comments, and I certainly hope the member for Mississauga South is correct, that the government will rethink its position and do what is right. What often happens is that they just do what their whip tells them to do and they do not think for themselves, and that becomes the issue that we really need to see.

1720

Hon Ms Churley: A number of points were raised this afternoon; I will address some of them. I want to say particularly to the member for Dufferin-Peel at the outset that he mentioned Teranet. In fact, most of his speech of an hour and 20 minutes or so was dedicated to the issue of Teranet. He is right that Teranet is more complicated, but he is wrong in that this bill is totally unrelated to Teranet.

I also have to say, because of the implications and some of the allegations made in his speech, that it is important that people understand that he or his staff were asked to come to a briefing on this bill. It can be complicated; anything to do with computers often can. This bill has been around for some time and there has been ample opportunity to find out more about it. That has not been done.

Mr Tilson: On a point of privilege, Mr Speaker: I really am concerned about the way the minister has left her last remarks about my being invited to a briefing with respect to this bill. I received an invitation at 10 o'clock—

The Acting Speaker (Mr Villeneuve): I am sorry, that is not a point of privilege. A member can correct his or her own statements, not someone else's.

Hon Ms Churley: This bill has been around for some time and there has been opportunity to find out more about it. The reason I am bringing this up, in all seriousness, is that there are some real misconceptions about the bill, for which I am sorry because it has taken up a lot of time this afternoon. It is not in any way related to Polaris or Teranet. I will deal with that on another occasion, but because today is the day, it is not in any way connected.

Interjections.

The Acting Speaker: Order. The honourable minister has the floor.

Hon Ms Churley: Let me explain very briefly that Polaris is the automation of land registration and a mapping system in Ontario. It is actually very simple. Bill 126

will provide users with an alternative and potentially, we hope, faster method of filing information. I am sure the members want to understand and hear this. That is really all it is. Let me explain very simply the implications of this.

Right now we get thousands of documents that come in on paper. They come in, and each and every one of them has to be inputted into a computer. Often after they were already taken off a computer and submitted on paper, they are then put back in manually. All this act does is give people the opportunity to be able to submit their documentation in computer form so that it does not have to be re-entered. That is what we are talking about here.

I would like to make another point: This is already a public database; this is not new. In terms of the comments that have been made about privacy and confidentiality, I want members to know I appreciate and share their concern about that issue. I am glad it has been brought up. Again though, I have to say in this context that this public database already exists and anybody can already do title searches. Bill 126 is not changing that or having any impact on that whatsoever.

I would like to add here that this information is already collected and filed on each borrower in Ontario who uses personal property as collateral. The act that allows this collection of information became law under the Conservatives in the 1970s. It was the third party's government that made the law to allow this accessibility.

Let's not go laying blame here. I think we have a good thing going. We are, let's face it, in the age of automation. All Bill 126 will do is help speed up the process a little bit. Eventually it will come down to the consumers who go to the lawyers and other professionals for information. We are very concerned about privacy and confidentiality and we are making sure safeguards are built in to this one-way system.

The cost of the search will remain the same. It will not go up for consumers. I should say that we will start saving money pretty well immediately as users start using the system for the very reason I pointed out: It will save one step in the process.

I will end by saying that this is actually not a big, complicated thing. This is just taking a step and making a system that we already have in place a bit more efficient. That is happening all over the world right now. As the member for Markham pointed out, it is important that we move in this direction. I urge people to support this bill today. I urge people to not confuse it with more complicated computer issues. This is not a very complicated issue. It is actually very simple and will benefit the people of Ontario as well as this government and will in fact save us money.

Ms Churley has moved second reading of Bill 126.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Call in the members. This bell will be up to 30 minutes' duration.

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The Acting Speaker: Pursuant to standing order (g), it has been requested that the vote on second reading of Bill 126, An Act authorizing the Filing of Information in an Electronic Format under Statutes administered by the Minister of Consumer and Commercial Relations, be deferred until 5:45 pm today, November 4, 1991. Is it the pleasure of the House that the motion carry? Carried.

Vote deferred.

FIRE MARSHALS AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT LA LOI SUR LES COMMISSAIRES DES INCENDIES

Mr Pilkey moved second reading of Bill 131, An Act to amend the Fire Marshals Act.

M. Pilkey propose la deuxième lecture du projet de loi 131, Loi modifiant la Loi sur les commissaires des incendies.

Hon Mr Pilkey: I am pleased this afternoon to introduce for second reading an important piece of legislation, Bill 131, which contains an amendment to the Fire Marshals Act. Prevention is the primary goal of the amendments before the House today. Bill 131 will permit the fire marshal's office to pursue its goals of proactive public safety and fire prevention.

These amendments will allow the fire marshal and assistants to take effective actions in situations where fires pose a potentially serious threat to the environment even when the risk of fire itself may be low. This legislation will permit the fire marshal to act in a timely manner when the lives of public are at stake even when the person responsible for the threat to public safety is unwilling or unable to correct the situation or where an order for corrective action is under appeal.

Bill 131 will allow the fire marshal and assistants to move quickly to protect tenants living in hazardous conditions without forcing them to look for new homes.

These amendments will extend the protection of the Ontario fire code to people living in partially occupied buildings under construction or renovation. The cost of fire safety and protection of life will also be handled in an equitable and effective manner under the terms of this new legislation. Costs for corrective actions approved by the Fire Code Commission and carried out by the province or by municipalities will now be recoverable through a person's municipal taxes or through a court judgement.

Bill 131 provides a fair balance between the need for action when there are serious threats to the environment or to people's lives and the need to safeguard individual rights. Building owners will be protected under the amendments contained in this bill. They will have the right to appeal costs for corrective actions that they believe to be unfair.

Bill 131 will also provide for improved fire safety in northern Ontario communities that do not have municipal governments. The province will have both the authority and the responsibility to provide regulations which strengthen and formalize the operation of fire protection teams in those areas. As well, the proposed amendment

will reinforce the mutual aid system that exists between neighbouring municipalities during times of emergency.

Bill 131 will give the fire marshal the authority to appoint the fire co-ordinators who organize firefighting resources, prescribing their duties and providing them with immunity from legal action.

The safety and security of the residents of Ontario will be greatly improved by the legislation that I bring before this House today. Bill 131 has as its prime objective to drive to make this province an increasingly safe and secure place in which to live and to work for all people of Ontario. Fire prevention must be a year-round activity in this province and therefore I am pleased to table for second reading these amendments to the Fire Marshals Act.

Mr Curling: What I should be doing is inviting everybody up to Scarborough North, to that great place, that great constituency.

It is indeed a pleasure to rise and say a few words on this bill which was long-awaited. Mr Speaker, if you look carefully at this bill, and I know you have done so, this bill is essentially the same as the Liberals brought in over a year ago. Here it is. We have waited such a long time for this bill to come forward and it has taken the Solicitor General six months to bring forward this bill in second reading. It was about six months ago that he introduced this bill here. He talks about the urgency of it, and here we are, six months later with the bill before the House.

I do not think they realize how important this is. They talked about the importance when they introduced it, but still it is such a long time. It is typical really of much of the legislation that the government has been bringing through this House since it has been in power.

I mentioned earlier that the Liberals had brought forward a bill of the same nature—that was about October 1989—and we struck a fire services committee, a review committee to look at all the problems and concerns within the fire services acts. We wanted to review at that time the Fire Departments Act and the Fire Marshals Act because if there is a job to be done, we feel it should be done properly.

Members can recall the time when the New Democratic Party was in opposition, how concerned it was about doing things properly and not rushing them through, and here we are now. I recall about six months ago the then Solicitor General gave this wonderful speech to the Ontario Association of Fire Chiefs and spoke very passionately about the concern of amending the act. He went into detail expressing what should be done, where it should be amended, commending the fire chiefs and all those present at the time at their 39th annual conference and spoke about how the government would work and act in dispatch to get all the amendments done. They were not speaking at the time about the Fire Marshals Act, but on the broader factor of looking at all the fire services acts.

I am not quite sure if the then Solicitor General had an opportunity to review that speech. I think it is well said, well written by the bureaucrats. I would recommend to the government ministers that sometimes it is good to listen to the bureaucrats, because there is a structure there, then go back to all the philosophical things they are doing and some of the things they are saying should be enforced and

put them in place so they can have a proper act. The base of this speech was a good act to follow.

They talk in this act about concern for the environment, and furthermore the concern of safety, and I want to commend the minister for looking in that direction.

I want to commend the Solicitor General for being here today, because I know he has been held up with the Sunday shopping legislation. For the detail and the carefulness that attend these hearings and these amendments that are being done now in committee, I want to commend him.

But if he could pay attention for a moment, I want him to realize that he is paying attention to a bill that is badly flawed—the Sunday shopping bill—and is spending a considerable amount of time attempting to amend a bad thing. There is a saying that goes like this, “What started bad in the morning eventually cannot come good in the evening.” If it is bad, the recommendation we give is to start all over again, just what I think the government wants to do. They wish they could start all over again, because they have done such a bad job. They are spending all their time on Sunday shopping, dealing with an extremely bad, poorly drafted bill. They could have spent more time here dealing in detail with something that is of more concern to the people.

1740

The Solicitor General is a safety minister, to make sure public safety is in the capable hands of a minister and ministry, but instead of dealing at length and in great detail with Sunday shopping—I am sure more could be done in that regard—the community is much more concerned about crime rates and fire safety than Sunday shopping. Of course, it is quite a political thing to get involved in trying to dictate the morals of the people about what day they should worship or what day they should pause or what day they should shop.

Here we are on an extremely important act, the Fire Marshals Amendment Act, which should be looked at. We have come forward here today, after waiting all this long time, and are not looking at a complete review of the Fire Marshals Act and of the Fire Departments Act, and then making sure we have a good fire services act.

The performance of this government is not surprising at all. That is the way it does things: piecemeal. After eventually finding out they are doing a poor job, they will then ask for co-operation. It is important, if the government wants the co-operation of all members of this House, that it do things right.

I am not saying to the government that it can bring a perfect bill forward. I think it is almost impossible, with the diversity of this province, to bring in a perfect bill. What it has here is a cross-section of people representative of all parts of Ontario, especially the municipalities that have such various needs and concerns. If the bill is brought forward we will assist them to amend it to make it a very good bill, a bill they can be proud of. Then the political brinkmanship that is going on here would not happen. Members here are quite qualified. Members on the Conservative side are extremely well versed in how a bill and amendments can go forward.

I want to go through, as I mentioned earlier on, a speech given by my good friend the former Solicitor Gen-

eral. I want to commend him for the commitment he has made in this. The reason it is so important is because if his colleague who followed him, the now Solicitor General had followed these directions that were given to him by the bureaucrats—of course, as an intelligent and honourable man, he gave the speech in good form.

One of the things the Solicitor General of the day emphasized in that speech was improving safety for all our citizens, and not excluding anyone. He talks about some of the concerns that must be addressed in looking at what he was talking about then, the fire services act. He spoke about prevention, which is of great concern—it is better than cure, as they say—and public education.

The concern over that, as we know, is that it is an extremely challenging project to educate the public about fire safety, considering the high rate of functional illiteracy and the apathy people feel about fires. Usually we feel that the fire truck passes our home all the time, just passes our home and will never stop there. The challenge the government has before it of public education is one we all support here. We would have put our effort behind it to make sure that each municipality, as unique as it is, would have been given the attention it so deserves.

Here is another area, and I want to admit that I was caught up in it too, so when the Solicitor General mentioned it in his speech at the time, it came home to me training. The firefighters need training, especially in those municipalities which, as members know, do not have any permanent firefighters but have volunteer firefighters.

The Acting Speaker: I am sorry to interrupt the honourable member for Scarborough North. I can assure him that when we resume debate on Bill 131 he will have the floor and will be able to terminate his participation in the debate.

Pursuant to an earlier motion this afternoon, the House agreed to have a vote on second reading of Bill 126 at 5:45.

1751

The House divided on Ms Churley's motion for second reading of Bill 126, which was agreed to on the following vote:

La motion de M^{me} Churley pour la deuxième lecture du projet de loi 126, mise aux voix, est adoptée :

Ayes/Pour—84

Abel, Arnott, Bisson, Boyd, Bradley, Carr, Carter, Chiarelli, Christopherson, Churley, Conway, Cooke, Cooper, Coppen, Cordiano, Cousens, Cunningham, Curling, Dadamo, Daigeler, Drainville, Duignan, Eves, Farnan, Ferguson, Fletcher, Frankford, Gigantes, Grandmaitre, Grier, Haeck, Hansen, Harnick, Harrington, Harris, Haslam, Hayes, Hope, Huget, Jamison, Klopp, Kormos, Lankin, Laughren, Lessard, Mackenzie, MacKinnon, Malkowski, Mammoliti, Marchese, Marland, Martel, Martin, Mathysen, Miclash, Mills, Morin, Morrow, Murdoch, B., Murdock, S., O'Connor, O'Neil, H., O'Neill, Y., Owens, Pilkey, Pouliot, Rae, Rizzo, Silipo, Sutherland, Tilson, Turnbull, Ward, B., Ward, M., Waters, Wessinger, White, Wildman, Wilson, F., Wilson, G., Wilson, J., Winninger, Wiseman, Wood.

Nays/Contre—0

The Acting Speaker: Is it the pleasure of the House that the bill go to third reading?

Some hon members: No.

The Acting Speaker: Committee of the whole house?

Interjections.

The Acting Speaker: Order, please. There being 12 members having risen, that does require the bill go to a standing committee of the Legislature.

Bill ordered for the standing committee on resources development.

Le projet de loi est déferé au comité permanent du développement des ressources.

The House adjourned at 1757.

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Caplan, Elinor (Oriole L) Chair, standing committee on social
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sociales

Carr, Gary (Oakville South/-Sud PC)

Carter, Jenny (Peterborough ND) PA to Minister of
Citizenship, responsible for human rights, disability
issues, seniors' issues and race relations/Ap de la ministre
des Affaires civiques, déléguée aux Droits de la personne,
aux Affaires des personnes handicapées, aux Affaires des
personnes âgées et aux Relations interraciales

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Minister of Financial Institutions/Ministre des Institutions
financières

Chiarelli, Robert (Ottawa West/-Ouest L)

Christopherson, David (Hamilton Centre/-Centre ND)
PA to Treasurer of Ontario and Minister of Economics/
Ap du Trésorier de l'Ontario et du ministre de l'Économie

Churley, Hon/L'hon Marilyn (Riverdale ND) Minister of
Consumer and Commercial Relations/Ministre de la
Consommation et du Commerce

Cleary, John C. (Cornwall L)

Conway, Sean G. (Renfrew North/-Nord L)

Cooke, Hon/L'hon David (Windsor-Riverside ND) Minister
of Municipal Affairs, government House leader/
Ministre des Affaires municipales, chef parlementaire du
gouvernement

Cooper, Mike (Kitchener-Wilmot ND) Chair, standing committee
on administration of justice; deputy government whip/
Président du Comité permanent de l'administration de la
justice, whip adjoint du gouvernement

Coppen, Hon/L'hon Shirley (Niagara South/-Sud ND)
Minister without Portfolio, chief government whip/
Ministre sans portefeuille, whip en chef du gouvernement

Cordiano, Joseph (Lawrence L) Vice-Chair, standing committee
on social development/Vice-Président du Comité permanent
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Cunningham, Dianne (London North/-Nord PC) Progressive
Conservative chief whip/Whip en chef du Parti
progressiste-conservateur

Curling, Alvin (Scarborough North/-Nord L) opposition deputy
whip/whip adjoint de l'opposition

Dadamo, George (Windsor-Sandwich ND) PA to Minister of
Transportation/Ap du ministre des Transports

Daigeler, Hans (Nepean L)

Drainville, Dennis (Victoria-Haliburton ND) PA to Minister of
Municipal Affairs; Chair, select committee on Ontario in
Confederation/Ap du ministre des Affaires municipales,
président du Comité spécial sur le rôle de l'Ontario au sein
de la Confédération

Duignan, Noel (Halton North/-Nord ND) Chair, standing
committee on the Legislative Assembly; Co-Chair, special
committee on the parliamentary precinct/Président du
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Elston, Murray J. (Bruce L) Leader of the Official Opposition/
Chef de l'opposition officielle

Eves, Ernie (Parry Sound PC) Progressive Conservative House
leader/Chef parlementaire du Parti progressiste-conservateur

Farnan, Mike (Cambridge ND) First Deputy Chair of the
Committee of the Whole House/Premier vice-président du
Comité plénier de l'Assemblée législative

Fawcett, Joan M. (Northumberland L)

Ferguson, Hon/L'hon Will (Kitchener ND) Minister of
Energy/Ministre de l'Énergie

Fletcher, Derek (Guelph ND) PA to Minister of Consumer and
Commercial Relations/Ap du ministre de la Consommation
et du Commerce

Frankford, Robert (Scarborough East/-Est ND)

Gigantes, Hon/L'hon Evelyn (Ottawa Centre/-Centre ND)
Minister of Housing/Ministre du Logement

Grandmaitre, Bernard C. (Ottawa East/-Est L)

Grier, Hon/L'hon Ruth A. (Etobicoke-Lakeshore ND)
Minister of the Environment, minister responsible for the
greater Toronto area/Ministre de l'Environnement, ministre
responsable du Bureau de la région du grand Toronto

eck, Christel (St. Catharines-Brock ND)
Ampton, Hon/L'hon Howard (Rainy River ND) Attorney
 General/Procureur général
 ansen, Ron (Lincoln ND)
 arnick, Charles (Willowdale PC)
 arrington, Margaret H. (Niagara Falls ND) PA to Minister of
 Housing/Ap du ministre du Logement
 aris, Michael (Nipissing PC) leader of the Progressive
 Conservative Party/Chef du Parti progressiste-conservateur
Aslam, Hon/L'hon Karen (Perth ND) Minister of Culture
 and Communications/Ministre de la Culture et des
 Communications
 ayes, Pat (Essex-Kent ND) PA to Minister of Agriculture and
 Food (agriculture)/Ap du ministre de l'Agriculture et de
 l'Alimentation (agriculture)
 enderson, D. James (Etobicoke-Humber L)
 ope, Randy R. (Chatham-Kent ND) PA to Minister of
 Community and Social Services/Ap du ministre des
 Services sociaux et communautaires
 uget, Bob (Sarnia ND) PA to Minister of Energy/
 Ap du ministre de l'Énergie
 ckson, Cameron (Burlington South/-Sud PC) Chair, standing
 committee on estimates/Président du Comité permanent
 des budgets des dépenses
 mison, Norm (Norfolk ND) PA to Minister of Industry,
 Trade and Technology, responsible for small business/
 Ap du ministre de l'Industrie, du Commerce et de la
 Technologie, délégué aux Affaires des petites entreprises
 hnson, Paul R. (Prince Edward-Lennox-South Hastings/
 Prince-Edward-Lennox-Hastings-Sud ND)
 PA to Minister of Revenue/Ap du ministre du Revenu
 rdan, W. Leo (Lanark-Renfrew PC)
 opp, Paul (Huron ND) PA to Minister of Agriculture and
 Food (food)/Ap du ministre de l'Agriculture et de
 l'Alimentation (alimentation)
 ormos, Peter (Welland-Thorold ND) Chair, standing
 committee on resources development/Président du Comité
 permanent du développement des ressources
 winter, Monte (Wilson Heights L)
Rankin, Hon/L'hon Frances (Beaches-Woodbine ND)
 Minister of Health, minister responsible for the provincial
 anti-drug strategy/Ministre de la Santé, ministre déléguée
 à la Stratégie antidrogue provinciale
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 Premier, Treasurer of Ontario and Minister of
 Economics/Vice-premier ministre, Trésorier de l'Ontario
 et ministre de l'Économie
 essard, Wayne (Windsor-Walkerville ND) PA to Minister of
 Colleges and Universities/Ap du ministre des Collèges et
 Universités
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 opposition whip/Whip en chef de l'opposition
 Malkowski, Gary (York East/-Est ND) PA to Minister of
 Citizenship, responsible for human rights, disability
 issues, seniors' issues and race relations/
 Ap de la ministre des Affaires civiques, déléguée aux
 Droits de la personne, aux Affaires des personnes
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 Mathysen, Irene (Middlesex ND) PA to Minister of the
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 Murdock, Sharon (Sudbury ND) PA to Minister of Labour/
 Ap du ministre du Travail
North, Hon/L'hon Peter (Elgin ND) Minister of Tourism and
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 O'Connor, Lawrence (Durham-York ND) PA to minister
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 Industry, Trade and Technology/Ministre de l'Industrie,
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 Phillips, Gerry (Scarborough-Agincourt L)
Pilkey, Hon/L'hon Allan (Oshawa ND) Solicitor General,
 Minister of Correctional Services/Solliciteur général,
 ministre des Services correctionnels
 Poirier, Jean (Prescott and Russell/Prescott et Russell L)

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Rizzo, Tony (Oakwood IND)

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Sorbara, Gregory S. (York Centre/-Centre L)

Sterling, Norman W. (Carleton PC)

Stockwell, Chris (Etobicoke West/-Ouest PC)

Sullivan, Barbara (Halton Centre/-Centre L)

Sutherland, Kimble (Oxford ND) PA to Chairman of the Management Board of Cabinet; Vice-Chair, standing committee on finance and economic affairs/Ap du président du Conseil de gestion du gouvernement, vice-président du Comité permanent des finances et des affaires économiques

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Ward, Brad (Brantford ND) PA to Minister of Industry, Trade and Technology with responsibility for trade and technology/Ap du ministre de l'Industrie, du Commerce et de la Technologie et délégué au Commerce et à la Technologie

Ward, Margery (Don Mills ND) PA to Minister of Government Services/Ap du ministre des Services gouvernementaux

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Warner, Hon/L'hon David (Scarborough-Ellesmere ND) Speaker; Co-Chair, special committee on the parliamentary precinct/Président, coprésident du Comité extraordinaire de l'enceinte parlementaire

Waters, Daniel (Muskoka-Georgian Bay/Muskoka-Baie-Georgienne ND) PA to Minister of Tourism and Recreation; Vice-Chair, standing committee on resources development/Ap du ministre du Tourisme et des Loisirs, vice-président du Comité permanent du développement des ressources

Wessinger, Paul (Simcoe Centre/-Centre ND) PA to Minister of Health/Ap de la ministre de la Santé

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Wildman, Hon/L'hon Bud (Algoma ND) Minister of Natural Resources, minister responsible for native affairs/Ministre des Ressources naturelles, ministre délégué aux Affaires autochtones

Wilson, Hon/L'hon Fred (Frontenac-Addington ND) Minister of Government Services/Ministre des Services gouvernementaux

Wilson, Gary (Kingston and The Islands/Kingston et Les Îles ND) PA to Minister of Culture and Communications/Ap de la ministre de la Culture et des Communications

Wilson, Jim (Simcoe West/-Ouest PC)

Winninger, David (London South/-Sud ND) PA to Attorney General, PA to minister responsible for native affairs/Ap du Procureur général, ap du ministre délégué aux Affaires autochtones

Wiseman, Jim (Durham West/Durham-Ouest ND) PA to Minister of Correctional Services/Ap du ministre des Services correctionnels

Witmer, Elizabeth (Waterloo North/-Nord PC)

Wood, Len (Cochrane North/-Nord ND) PA to Minister of Natural Resources/Ap du ministre des Ressources naturelles

Ziemba, Hon/L'hon Elaine (High Park-Swansea ND) Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations/Ministre des Affaires civiques, déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales

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Legislative Assembly
of Ontario

1st Session, 35th Parliament

Official Report
of Debates
(Hansard)

Tuesday 5 November 1991

Assemblée législative
de l'Ontario

Première session, 35^e législature

Journal
des débats
(Hansard)

Le mardi 5 novembre 1991

Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at (416) 325-7400.

Numbering of Hansard

Effective with the opening of the Second Session of the 35th Parliament, Hansard issues and pages will once again be numbered on a sessional basis. Hansard numbering therefore will become consistent with Orders and Notices and Votes and Proceedings, and with other parliamentary publications throughout Canada.

For the last two years Hansard has been numbered according to the calendar year. Under this system, the numbering of issues and pages was restarted with the first issue in the calendar year, regardless of session or Parliament.

Under the new system, the sequence of numbering started in January 1991 will end with the final House and committee sittings of the present First Session. A new sequence will begin on the opening day of the Second Session, and each succeeding session, which will be issue 1 and begin with page 1. Committee reports likewise will be numbered from the first sitting of each committee in a parliamentary session.

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Table des matières

La table des matières des séances rapportées dans ce numéro se trouve à l'arrière de ce fascicule, ainsi qu'une liste alphabétique de députés de l'Assemblée législative de l'Ontario.

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 325-7400.

Numérotation du Journal des débats

A partir du début de la deuxième session de la 35^e législature, les pages et les numéros du Journal des débats seront de nouveau numérotés par session. La numérotation du Journal des débats correspondra donc à celle de Feuilleton et Avis et de Procès-verbaux, ainsi que celle des autres publications parlementaires au Canada.

Depuis deux ans, le Journal des débats était numéroté par année civile. Avec ce système, la numérotation des numéros et des pages recommençait au premier numéro de l'année civile, quelle que soit la session ou la législature.

Avec le nouveau système, la numérotation commencée en janvier 1991 s'arrêtera à la dernière séance de la Chambre et des comités de l'actuelle première session. Une nouvelle série commencera le jour de l'ouverture de la deuxième session et des sessions suivantes : numéro 1, page 1. Les rapports des comités seront également numérotés à partir de la première séance de chaque comité pour une session parlementaire donnée.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 5 November 1991

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

CORNWALL AND DISTRICT SNOWSUIT FUND

Mr Cleary: It gives me great pleasure to address the House today on behalf of the Cornwall and District Snowsuit Fund. This organization, co-sponsored by the Cornwall and District Firefighters, Lions Club and Loeb IGA, has for three years been working very hard to provide warm winter snowsuits for the less fortunate children of Cornwall and the united counties of Stormont, Dundas and Glengarry.

I am proud to say that over 900 snowsuits were collected and distributed to needy children last year. The snowsuit fund is hopeful that it will be able to outfit 2,000 children this year.

The snowsuit fund is a recognized charitable organization with no operating cost, and is run by an enthusiastic volunteer executive and board of directors. Local businesses have been quite supportive of this effort, particularly Fantastic Cleaners of Cornwall, which has offered complimentary dry-cleaning services to the snowsuit fund.

The gala event took place this past Saturday night in Cornwall, and I am happy to report that I joined over 200 area residents who showed their support by attending.

Anyone interested in making a contribution to this fine cause should contact one of the local sponsors, who admit that only through energetic participation will this fund be able to surpass its 1991 goal.

LORNE McCONNELL

Mr Sterling: As we move towards a more global economy, trying to achieve what we call the competitive edge, we place a tremendous responsibility on our engineering and scientific community. Our ultimate economic success is dependent on their ability to accomplish.

I want to bring to the attention of this House a group of the individuals who were honoured by the Association of Professional Engineers of Ontario this past Saturday evening. Each of these people has managed remarkable performance during a time that is somewhat hostile to innovation and the business community. As an engineer and a citizen of Ontario, I was extremely impressed with the accomplishments of all nine of these individuals and I am very proud both as a professional engineer and as a proud Ontarian. However, today time permits me to mention only one in particular.

The professional engineers' gold medal is awarded to the engineer who has given outstanding public service to our country and who has made large sacrifices of time and effort for the public welfare. That special honour was bestowed upon Mr Lorne G. McConnell, PEng. Mr McConnell, a pioneer in nuclear power development, has dedicated 35 years to ensuring a safe, reliable electricity

supply for Ontario and for the world. Since his retirement from Ontario Hydro in 1990, he has represented Canada in helping to develop international recommendations for electricity planning and the environment.

I would like the members of this House to join me in recognizing and congratulating Mr McConnell and his fellow engineers, those individuals who give us our competitive edge.

CITY OF BRANTFORD

Mr B. Ward: As members will no doubt remember, on October 10 I made a statement to this House concerning several good news items for the economy and the people of Brantford. Today I would like to give the second half of that good news economic statement.

Not only are the companies I mentioned last time—Keeprite, Ben-A-Clamp, Go Vacations and Easton Coatings, for example—preparing to do business and create jobs in Brantford, but today I have even more good news on the road to economic renewal.

Gates Canada Inc, a leading manufacturer of automotive and industrial belts and hoses, which has two plants in Brantford, will invest over \$4 million to expand its belt manufacturing facilities, creating 15 new jobs. Strub Pickles will create 30 jobs as it moves its production and warehousing operations to Brantford from nearby Dundas. Canada Packers Poultry has consolidated its poultry and meat processing operations in Brantford and will create between 50 and 100 jobs in doing so. Finally, Sonoco Ltd, a major cardboard tube and paperboard maker, will be restructuring its operations and opening its second plant in Brantford in early 1992.

I can assure you, Mr Speaker, that this positive news about the economy of our city is a sign that investors have confidence in the people of Brantford and the province of Ontario. Just today, Mr Muzaffar ul Haq from Brant Community Futures informed me that a net increase of between 800 and 900 jobs has been created in Brantford since January of this year. This is good news indeed.

CONTRIBUTION OF CONSULTANTS

Mr Daigeler: Could it be that the new code word for NDP cabinet confusion is "consultation"? Countless consultants have carried out clever consultations and concluded that current consultations are inconclusive. Yet consistent lack of NDP caucus creativity calls for continued consultation.

Off go the consultants and count the cash for their consultations. The consulted community, meanwhile, remains more confounded than ever. The consolidated communications from countless cabinet consultations and controversial caucus considerations leave us with nothing but contradictory configurations.

Without the help of costly consultants, I can confirm the sorry conclusion that the NDP government has been conquered by consultation confusion.

1340

STUDENT SAFETY

Mrs Cunningham: Students at the University of Western Ontario have shown impressive initiative in establishing the foot patrol program. This is a grass-roots example of students taking responsibility for their own safety and the safety of their friends.

Western foot patrol commenced operations in January 1989. Hundreds of students volunteer. Five distinct patrols comprise the foot patrol system at the university. They are provided on campus between 8 pm and 1 am four nights a week and between 8 pm and 2 am on Thursday, Friday and Saturday nights. The foot patrol promotes awareness of risk to persons and property on the campus, deters those who would commit crime on campus and provides safe walking escorts to anyone who requests this service.

On Friday evening I joined Elizabeth Lorenzin, assistant co-ordinator of the foot patrol; my colleague the member for London-Middlesex; Joe Fontana, MP for London East, and Monique Lefebvre and other student volunteers. Fortunately, it was an uneventful evening. These volunteer patrollers, who have agreed to give up their free time to assist fellow students and promote campus safety, are to be congratulated on their significant efforts in making people aware of the risks they take, not only at the campus but across our communities, by walking alone in the dark.

COMMUNITY ACTION TEAM

Mr Martin: A short time ago a lobby group from my community came to the provincial Legislature in support of Algoma Steel and the city of Sault Ste Marie. Today I would like to thank the Community Action Team, CAT for short, for its effective presentations and, most important, for its commitment to the people of our city.

I would also like to thank the Premier, the Minister of Northern Development and Mines, the Minister of Industry, Trade and Technology, the Minister of Labour and the Minister of Natural Resources and their staffs, the NDP government and the Liberal and Conservative caucuses for meeting with this group.

The Community Action Team appreciated the time and effort we as a government contributed. This team effort is an excellent example of co-operation and co-ordination between management, labour, government and the larger community. With this type of solidarity and the continued support of this government, our community will pull together and indeed there will be a better day.

FINANCIAL INSTITUTIONS LEGISLATION

Mr Chiarelli: By December of this year, the federal Parliament will have legislated a fundamental reform in the regulation of banks, trust companies and insurance companies, an initiative endorsed by consumer groups, all federal political parties and the financial institutions industry. Federal financial institutions will be operating under these new laws by March of next year.

Unfortunately, this new legislation is in conflict with many of Ontario's current laws. All stakeholders want Ontario to harmonize its regulations with these new federal regulations. The province has no position on this issue.

Because the minister has been dragging his heels, there will be at least a two-year period during which federal financial institutions will be operating in conflict with Ontario's laws.

Because of the NDP's failure to act, the financial services industry and the economy will continue to suffer because of unnecessary duplication in regulatory control and costs, thus further eroding Ontario's competitive position. Such inaction is irresponsible and a slap in the face to the industry. This government is showing once again that it is out of step with the rest of the country at a time when our economy is crying for assistance. The minister should do everyone a favour and climb out of his shell-shocked auto insurance bunker to lend the economy a hand. The taxpayers of Ontario will not hold it against him.

ENERGY CONSERVATION

Mr Jordan: An announcement made yesterday by Ontario Hydro will see 3.8 million households in Ontario receive two lightbulbs, at a program cost of \$7 million.

This announcement, which was to be made later this week but was leaked to the press, is yet another way for Ontario Hydro to spend its outrageous conservation budget. The Ontario Energy Board's review of Hydro's 1992 major rate increase concluded that Hydro "was likely to waste much of the extra conservation money through uneconomic programs." This government has ordered Hydro to pick up the pace of its conservation programs, but Hydro says it is already struggling to spend the \$226 million allocated.

To listen to the Minister of Energy and the chairman of Ontario Hydro, you would think conservation is a new idea. Conservation has been part of Ontario Hydro and all users for over 30 years. I suggest we return to Ontario Hydro's mandate of generating and transmitting power at cost and let the private sector market its own products.

CONSTITUTIONAL REFORM

Mr Drainville: I would like to speak to the House today about an issue that obviously members of this House are very cognizant of, and that is the constitutional crisis we have in Canada. Recently many polls have indicated that there are people across the country who basically are more interested, understandably, in the economic issues of the day, yet at the same time we realize that we are on a precipice and that we are facing some very difficult challenges if we are to keep this country together.

I raise this issue in the House because I think it is incumbent upon us all, as leaders in our communities, to take this issue to the people. What I would suggest is that members could go into their ridings and have open forums on these issues, perhaps speak to students about these issues, if they have not already, and perhaps even share materials that have been brought forward by the select committee on Ontario in Confederation, the federal government or the provincial government to help people understand these issues.

In my own riding of Victoria-Haliburton in the first week of December we are going to begin a process of open forums where we can begin to discuss these issues,

and invite the members of the constituency to come to those forums and also to express their views on the federal proposals that are being put forward. It is my hope that by going out into the community and sharing this information with people, we might draw a closer focus on the future of Ontario in Confederation.

STATEMENTS BY THE MINISTRY

EMPLOYMENT EQUITY

Hon Ms Ziemba: It is my pleasure today to announce the release of the employment equity discussion paper *Working Towards Equality*. The employment equity commissioner, Juanita Westmoreland-Traoré, will start the formal consultation process in nine different cities across the province.

Employment equity is about this province's most valuable resource, its people. It is about a new vision of Ontario where every workplace is an environment of fairness and justice for all people. People should be able to participate and contribute in workplaces to the best of their abilities.

We need the energy, creativity, knowledge and skills of all the people of Ontario to rebuild our economy. Our workforce can give us our competitive edge. Employment equity will ensure Ontario is well positioned for the economic challenges of the future.

This government is committed to ending systemic discrimination faced by aboriginal peoples, people with disabilities, women and racial minorities. By the year 2000, 5% of all people entering the workforce will be members of these four groups. As a society, we no longer can afford to keep them underemployed or out of the workforce.

Ontario's NDP government is committed to mandatory employment equity legislation. The discussion paper provides a direction and a framework for the consultation. It is the intention of this government to advance legislation which will have four designated groups: aboriginal peoples, persons with disabilities, women and racial minorities. It will apply to public, broader public and private sectors, and the legislation will provide for mandatory employment equity.

To maximize the economic and social benefits of employment equity, we must ensure that the proposed legislation will be fair, practical and effective. The consultation is therefore crucial at this stage. We are determined that this will be an open and inclusive process. There are a lot of issues to consider in drafting legislation. We are committed to hearing from and listening to all groups about what will work best. We need the expertise and views of all Ontarians. Through these consultations, we will develop a partnership of government, business, labour, designated group members and other interested groups and individuals.

This government is committed to an agenda of justice and fairness. The release of this discussion paper and the launch of the formal consultation process is one major step forward. This government will provide the leadership to get Ontario back to work in a fair and equitable manner.

I would like to introduce the employment equity commissioner, who is with us today, Juanita Westmoreland-Traoré.

1350

INDUSTRIAL RESEARCH AND DEVELOPMENT INSTITUTE

Hon Mr Philip: It will not come as news to the members of this House that we have been experiencing the worst recession the country has endured in 50 years. Although there are many similarities to past recessions, such as job losses and business closures, there are also critical differences. Unlike job losses during the 1981-82 recession, many of which were later recalled, many of today's job losses are permanent.

Our government recognizes that factors driving economic growth are changing. Old answers are no longer sufficient. We need a new direction to revitalize the economy. I believe that long-term commitments to research and development are a key to economic growth in this province. Research and development is the backbone of high value added industries, those which create highly skilled, well-paying jobs. Such industries require leading-edge technology to operate efficiently. They need a stable base from which to develop this technology and put it into practice.

On behalf of my ministry, it gives me great pleasure to present to the House the details of an important new initiative. We have made a commitment to support the creation of a new industry-directed research centre. The Industrial Research and Development Institute, or IRDI, will be established in Midland with Ontario government funding of up to \$4.2 million over a five-year period.

The centre will serve as a national institute for applied research and development for the tooling industry and related industries. Tool, die and mould making is the backbone of manufacturing in Ontario. It is critical to Ontario's auto and auto parts sectors, aerospace, plastics processing and other manufacturing industries. In fact, Ontario is currently home to 80% of Canada's tooling industry. The choice of Ontario as home for the IRDI is therefore ideal.

Many of the companies which will benefit most from IRDI lack the financial resources or staff to undertake research on their own. IRDI will give these companies access to new technologies and industrial materials as well as expert advice. IRDI services will improve tooling design and development in Ontario and in so doing will strengthen the competitive position of our manufacturers. The institute will act as a bridge between the academic community and industry and will network with similar institutes internationally.

Until now, Canada has been the only leading industrial nation without an institute of this kind. This has placed us at a great competitive disadvantage. IRDI also represents the kind of co-operation we need to see between the province, the private sector, communities and the federal government. Nearly \$1 million will be provided by the province during the initial two-year period. An additional \$3.2 million in provincial funding will be available over the subsequent three years following a review in IRDI's second year of operations.

Industry, Science and Technology Canada will provide \$1.85 million towards the project. Plans call for the eventual construction of a building on lands donated by local

industry. Site servicing will be provided by the town of Midland. Additional funding towards the building will come from the Canada Employment and Immigration Commission.

Investment in our technological infrastructure, the network of people and institutions that gives us technological capability, is important to Ontario's future success. Let me conclude by repeating our commitment to work co-operatively with industry, the academic community, labour, community groups and the federal government. It is only through such co-operation that we will be able to create economic growth and the high value added products and services that will move Ontario to a healthier and more productive economy.

RESPONSES

EMPLOYMENT EQUITY

Mr Curling: This is the biggest hoax that has been pulled by this government so far. Imagine all the consultation that took place before, but what have they done now? They have come to say that they are going to talk and talk and talk more.

I recall the Premier, when he was Leader of the Opposition, introducing employment equity legislation in June 1990. This was done, he said, after very extensive consultation had been carried out. Comprehensive consultations were carried out, of course, by Justice Rosalie Abella's royal commission and also by the Ontario Advisory Council for Disabled Persons.

The minister now says that more consultation is needed because earlier consultations excluded some groups. My question to the Premier then is, which groups did he exclude from his consultation? Who did the Premier exclude? We would like to know.

The minister also made some comments this morning in which she seemed to suggest the opposition parties may try to stall the government's plan to introduce employment equity legislation. Who is stalling? I point out to the minister that Bill 172, the Premier's employment equity bill, was supported in principle by all members of the three parties and was referred to committee by the consensus of the Legislature. As members recall, I have also, on a number of occasions over the past year, asked for the reintroduction of this bill.

The minister speaks about partnership and consultation. Yet over and over again it appears from the consultation document that the government has already made up its mind on some very significant issues. For example, although francophones are considered a designated group for the purpose of employment equity in the Ontario public service, they are already quite specifically excluded on the very first page of the consultation document.

We have also heard the minister say over and over again that the legislation should be mandatory, but she has not been able to tell us what she means by mandatory—mandatory process or mandatory results?

Last spring the Solicitor General made a statement that the government had no intention of legislating employment equity for fire services. This would seem to contradict what the Minister of Citizenship is saying. I asked the

minister about this five months ago and she still has not been able to tell me what her government's position is.

In opposition that party was very specific about what it intended to do. They were going to introduce Bill 172. Suddenly, in government, they need to carry out more consultation. The Premier had the answer in 1990. He said it was Bill 172. What changed? Why has his government backed away from the specific plans set out in Bill 172?

Mr Speaker, you ask for decorum in this House. As you know, this was already announced at a press conference this morning. Therefore, again this government continues to make its show outside and then asks us to respond to it afterwards.

1400

INDUSTRIAL RESEARCH AND DEVELOPMENT INSTITUTE

Mr Kwinter: I would like to respond to the Minister of Industry, Trade and Technology's announcement. He said: "Old answers are no longer sufficient. We need a new direction to revitalize the economy." Unfortunately, this announcement is no answer. It is a piecemeal announcement about a particular project that was started in my ministry, and I commend it for that, but there is a lot of high-flowing language. It talks about an industrial strategy. We have not seen it. The minister is talking about long term commitment, yet this is only a two-year commitment for \$1 million and then they will review it, so there is a possibility there will be no future funding.

The other thing that really disturbs me is that it says "Tool, die and mould making is the backbone of manufacturing in Ontario." That is true, as long as there is some place where those skills can be practised. Unfortunately, under this government, the facts speak for themselves. It has a \$10-billion deficit. It has spending habits that the Economic Council of Canada implied are out of step. It has an NDP tax commission charged with the job of finding the means by which to finance its appetite to spend. It has made amendments to the Labour Relations Act which will deter investment. It also has brought in legislation that will increase the cost of hydroelectric power, which again will deter investment and will make the application of any of these skills more and more difficult.

I suggest to the minister that he come forward with a comprehensive industrial strategy, one that will take a look at what we are doing and where, by really coming to grips with some of the problems, we can make this a competitive environment and a place that will attract investment and create employment.

EMPLOYMENT EQUITY

Mrs Witmer: I would like first of all to indicate I have received a copy of the discussion paper, as of about five minutes ago, and I certainly am disappointed that our party was not invited to the press conference and did not receive the information beforehand.

However, having said that, I would like to take the opportunity to congratulate the government. I would also like to congratulate the employment equity commissioner. I would like to congratulate them on the consultation that has already taken place. This discussion paper indicates

at she has listened to the concerns that have been expressed by individuals and groups throughout the province and that there has been consultation around the implementation models.

I approach this discussion paper with cautious optimism, since there are many, many areas that are open for discussion. I am very pleased to see that. It appears to me that the government has turned over a new leaf and is ready to consult with all the stakeholders, and for that I applaud it. However, I am concerned that within the minister's statement here she has not talked about the content of the document. She has not talked about when the legislation will be introduced or when she plans for this to become law. That is the information that I believe this house needs.

I appreciate very much the sensitivity she has given to the concerns of the small business community. She has indicated here that there are possible approaches for employers covered by proposed employment equity legislation. She has given five possible approaches and she has allowed for exemptions and modifications for firms with less than 100 employees. I hope this government seriously considers some of the compliance problems that will face small businesses and recognizes that these small firms simply do not have the human resources to meet some of the government regulations.

INDUSTRIAL RESEARCH AND DEVELOPMENT INSTITUTE

Mr Carr: I am pleased to enter the discussion. I am glad the minister has talked about new directions. It is interesting to note that it was the name of our discussion paper which we sent over to the Premier. It is nice to see that at least they are taking some of the rhetoric from some of the proposals we have talked about.

I wish the minister had done some of his own research, though. The fact is that we are looking at 226,000 jobs lost in this province, 75% in manufacturing. Bankruptcies are at an all-time high. Some 37% of the businesses in a recent survey said they will not be investing because of this government. Retail sales are down \$2 billion. One million people are now collecting welfare.

When we look at them, the statistics speak for themselves. Some 86% of the firms say that as a result of some of the proposed labour changes they will not be investing. A total of 480,000 jobs are at stake as a result of this government's initiative. Some \$20 billion will not be invested because of this government.

If we look at it, the business community is saying these are the reasons it will not be investing, and it lays it clearly at the door of the Premier and the NDP government. Fully 83% say the reason they will not be investing is the total tax burden. There is nothing about that in this statement.

Some 78% said they will not be investing as a result of the recent Ontario budget. There is nothing about that in this statement. In fact, almost 57% of the members said they will scale down their investment because of the budget, and 94% said it was a bad budget. There is nothing in there to change that.

For the Ontario government's apparent bias, 77% blame the government. There is nothing in here for that. Some 73% say the changes to the proposed labour amendments are going to scale down investment. There is nothing in here for that.

I met with members of a business group this morning and they said to me: "Is there really a Mr Pilkey? Is there somebody really called Mr Pilkey?" That is the consulting the members opposite did under this government in the first year after they took over. All this particular government has done in a year is worry about the mice in the basement. There are elephants on the roof and the business community is reeling. This does nothing for them today.

EMPLOYMENT EQUITY

Mrs Marland: I want to respond to the statement from the minister responsible for employment equity about equity in the workplace. I hope this government will listen very carefully to people with disabilities. We have had a lot of studies come forth in the last six years about the kind of help that people with disabilities need to have an equitable opportunity for employment in this province. They should be heard and remedies made.

BLUE-GREEN ALGAE

Mr Runciman: On a point of privilege, Mr Speaker: I know you are responsible for this building, and for over a week now I have been putting up with a horrible odour emanating from this area of the assembly. I am asking you to look into it as quickly as possible.

Mr Cousens: I know what it is. It happens to be blue-green algae. We have it here because I was waiting for the Minister of the Environment to respond to my question of 7 October and she has not done it. There has been a smell in this House ever since. I was going to take it out of my desk when she gave me the response. As it is turning out, it is unbearable. I am going to send it over to the Premier with the hope that he will begin to do something with the Minister of the Environment and have her deal with it.

I will take it over. I thank you very much, Mr Speaker, but I cannot stand it. Maybe she will answer the question.

The Speaker: The attendant will take care of it. To the member for Leeds-Grenville, I appreciate his bringing this point of privilege to my attention. Indeed it is a point of privilege. While the member for Markham may not always appreciate the responses he gets from ministers, they are more likely to respond to people than to algae.

ORAL QUESTIONS

ONTARIO ECONOMY

Mr Phillips: My question is of the Premier. As the Premier will recall, the first day the House came back, September 23, the very first piece of business we dealt with was a speech by the Premier indicating that the first priority for him would be economic renewal. In fact, I think he said, "Renewing our economy must be the central focus of our work as a province." I think all of us agree with that. Since then, however, there has been virtually nothing out of the government in terms of economic

renewal. That was almost six weeks ago; the economy continues to turn down.

Some 15 months ago the Premier's Council issued a report, a blueprint on developing skills in the new economy that I think could very well be a blueprint for the government. When will we see the economic plan the Premier promised the people on September 23?

Hon Mr Rae: Let me answer directly the question with respect to the matter of training which the member has raised very directly. We are convinced that improving the training network in the province is a crucial underpinning for the renewal that I think we all believe in. That is something this government is determined to help make happen.

My colleague the member for Hamilton West, the Minister for Skills Development, has negotiated a very dramatic increase in federal funding for training for this year, which we think is a good start. We are also determined to bring in legislation with respect to training in 1992. I say to the member we do have to get a stronger buy-in from the private sector for some of the ideas that are contained in the Premier's Council report that my predecessor was able to do, and that is something which we very much want to have happen through this fall and winter as we prepare for legislation in the spring, and that is exactly what we are going to be doing on the training front.

Mr Phillips: As the Premier might appreciate, we have had a number of concerns raised by working people in this province about his economic plan. I think all of us are aware that in two and a half weeks the Ontario Federation of Labour biannual convention takes place. I think many of the working people in the province believe the Premier is going to have to deliver something there because it is the biannual meeting. Certainly their expectations of this government are very high and the Premier has a long-standing commitment to the labour leaders.

There is a fear among the workers in this province that there may very well be two economic plans, one for union workers and one for non-union workers. Can the Premier assure all the workers of this province that they will be treated equally and that if he brings forward these economic plans, perhaps before the OFL convention, there will not be one economic plan for unionized workers and one economic plan for non-unionized workers?

1410

Hon Mr Rae: The answer to the member's question is yes.

Mr Phillips: The reason I raise that matter is, as we have seen some of the draft proposals of the government, that is what has given cause for concern. The proposal on the venture capital project for workers' purchase of shares is available, we understand, in the draft proposals, to be run only by unions. In other provinces it can be run by other employee groups, but here the proposal is only for unions.

We understand that on the training aspect, unions will have a veto right on much of the training. The fundamental objective of the labour relations program, if we read the documents correctly, was to increase union penetration. That is why the concerns have been raised. I am glad of

the Premier's reassurance, but if all the workers are to have equal access, why is it that in the draft proposals we have seen there seems to be some discrimination between unionized and non-unionized workers in this province?

Hon Mr Rae: With respect to the particular question when we take all the rhetoric and the anti-union diatribes that we have come to expect from the Liberal Party of Ontario aside, what I want to tell the honourable member is that the proposals with respect to worker ownership are in the range of leadership, the ability of people to buy into the future of the economy—I can assure the member there is no intention on our part to discriminate against anybody.

Mr Elston: That last answer just gives us the clue as to what it is that keeps this place in a state of disarray. It is the Premier whenever he shows up.

RETAIL STORE LEGISLATION

Mr Elston: I have a question for the Solicitor General. I have listened to the Solicitor General talking about his Sunday shopping legislation. I have with me a whole series of pictures of women and men who are about to lose their jobs if the Solicitor General carries on in the same manner in which he has. These are some of the people who work for the discount drug industry. In fact they have been told that up to 3,000 people could permanently lose their jobs if there are not some changes to the legislation.

I wonder if the Solicitor General will agree with me that those jobs are important jobs to save and if he will commit himself to supporting a bill that I will introduce later today which is designed to save those particular jobs.

Hon Mr Pilkey: Surely the Leader of the Opposition would not expect me to respond to a bill that has not even surfaced yet. To the first question, this government did not introduce into Bill 115 or its amendments anything to do with the drugstore issue. The legislation that is presented today is the legislation that leader and that government placed before the province of Ontario, before the people and before the owners of those drugstores he now purports to defend.

We have not done anything that has altered the previous situation. What we have done, on behalf of the New Democratic Party of Ontario and this government, is to respond to the people of Ontario on the promise we gave them, and that was a promise of a common pause day and a promise of worker protection. The moment these two parties allow us to get out of committee and into the House, we will have achieved that to the benefit of the people of this province.

Mr Elston: To ease the pain of the Solicitor General, can tell him that the bill will be to the same extent as what my colleague the member for Oakville South introduced—or tried to—as an amendment to the Solicitor General's legislation, about which he said to my colleague, "It isn't within the ambit of that bill."

If it is not within the ambit of Bill 115, perhaps the Solicitor General can undertake to support this as a separate piece of legislation to save the jobs of people like Marie Durand, who is supporting not only herself and who is not only about to support a husband who will lose his

job at the end of this month, but also a single-parent daughter who is supporting her child. Since the Solicitor General knows what the amendment of the member for Oakville South would have done, can he tell us today why he cannot support that type of bill to save the job of Marie Durand and save her family the suffering he knows they will go through?

Hon Mr Pilkey: This is the absolute height of hypocrisy. If that individual or any other individuals lose their jobs—

The Speaker: Would the minister take his seat, please. I realize it is an issue that evokes an emotional response. At the same time, when we use the word “hypocrisy,” it does help to create disorder in here. Perhaps the minister could rephrase his response.

Hon Mr Pilkey: I will withdraw the word and substitute something else which I deem to mean that it is strange to hear that coming from the Liberals.

Mr Elston: There is a piece of legislation with respect to Sunday shopping that is working in this province. These people are undoing it. In fact, the people who are about to lose their jobs are gainfully employed at the moment. It seems to me that this Solicitor General, when he is telling everybody he is changing the world that the Liberals and Tories created in Ontario because it was all wrong, should not pass by something he has said is wrong because it was our legislation. If there is a problem with helping some unemployed people because of legislation, let's change it. If we were wrong, let's admit we were wrong. We will bear the responsibility. The Solicitor General should make the changes.

For the benefit of people like Monica McGregor, a single-parent family supporter who needs her job and who will lose her job under the current situation, will the Solicitor General support my bill, to be introduced later today, so we can save her job and the jobs of all these women and men who need to work and make money so they do not suffer at a time when recession is eating us up?

Hon Mr Pilkey: I cannot speculate on bills that have not even been tabled or presented. What I can say is that in our Agenda for People, of which the member for Stouffville West has a ready copy in his hand at all moments, we promised the people of this province a common cause day and worker protection to protect some 760,000 Ontarians and their families who work in the retail sector. Any difficulties these particular individuals are having are a result of the legislation passed by the previous government, and there is nothing we are doing that has altered that circumstance. It does not fall within the ambit of the bill, and if the Leader of the Opposition wishes to present some alternative bill, I suppose the Legislative Assembly will deal with it in some appropriate manner.

I will quit on this one further comment: If we are to bring further clarity to those and other retailers in this province and to the general public by way of the amendments we introduced on Sunday shopping in December, prior to Christmas, I would urge the opposition parties to allow us to get through clause-by-clause before they have a lot of other people's jobs in jeopardy as well at that time.

1420

LABOUR LEGISLATION

Mr Harris: My question is to the Premier. For the past several months the government has been sending out a clear message that Ontario is closed for business. The government's labour proposals in particular have sent a wave of fear through the business community. Companies are leaving in record numbers. Jobs are being lost by the thousands. Investors are bypassing Ontario as a place to invest.

Last week the Premier agreed to consider New Directions: A Blueprint for Economic Renewal and Prosperity in Ontario, which was my economic plan for renewal and prosperity. I ask him today, will he agree to my call in New Directions for an immediate cancellation of any consideration of all the changes labour has put forward and wants in the labour law legislation in this province?

Hon Mr Rae: I can tell the honourable member, first of all, that I reject the premise of his question. The notion, for example, that improvements in employment standards or minimum wages or labour relations legislation are hostile to investment or hostile to growth or hostile to the future of this province is an attitude that I do not think any Premier has accepted since the Second World War. I would say to the honourable member that improving the climate and improving labour relations is in our view and in my view a critical aspect of turning this economy around, of improving it and ensuring that the interests of greater productivity and greater social justice are effectively joined.

Mr Harris: We all agree that improving the climate and improving relations would be important. His proposals are not doing that. A discussion paper on labour proposals—it is all labour's proposals, by the way—is the last thing Ontario needs. He does not seem to understand that it really does not matter how he fine-tunes labour's proposals for refining labour law; the damage is being done by just considering these new proposals that have all come from unions.

That in itself is sending out enough of a signal that he is prepared to meddle further with business in this province, and that signal is costing us jobs. It is tinkering with labour legislation. While thousands are losing their jobs, he is trying to decide whether they will be union ones or not. It is kind of like giving double Aeroplan points while the aircraft is going down; it really does not matter much. Will the Premier alleviate further hardship today and get on with the true consultation of bringing business and labour together? He can do that by cancelling his discussion paper altogether. Will he do that?

Hon Mr Rae: I will only say to the honourable member that we are determined to improve the climate of labour relations in the province. We also are determined to ensure this province is seen as a good place to invest, do business, work and live. That involves finding a balance. That involves working with all sectors of the economy. That is exactly what we are determined to do and that is what we are going to do our very best at doing as long as we have a mandate to do so.

Mr Harris: It was the Premier's party which in its fund-raising letter pledged to neutralize opposition by the business community. That was his consultation with the business community. His is the government that brought in a \$10-billion deficit. It is his government that introduced retroactive legislation that killed the renovation sector. It is his government that I suggest to him is in Bob White's back pocket. Business no longer believes he knows how to consult. It no longer believes he knows what it is that creates and saves jobs in this province. My final supplementary question is very simple: Is paying back Bob White and the union bosses really worth risking Ontario's future?

Hon Mr Rae: I can only say I reject entirely the premise and the rhetoric behind the member's question.

MUNICIPAL ELECTIONS

Mr Stockwell: Can the Premier give me his government's position on how involved constituency offices could or should be in the municipal elections, and further, whether any written or verbal directives have been sent out by his office to the members on that issue?

Hon Mr Rae: From my experience in the House in opposition and in government, this is what is known as a question with a hook, so I think I will wait for the supplementary.

Mr Stockwell: I simply asked the Premier if any directives were sent to his caucus with respect to constituency office use during a municipal election. I would have expected a response: if yes, then what, and if not, then he could say that. I ask the Premier because it has been brought to my attention that between February and March 1990 a constituent showed up at the Etobicoke-Lakeshore constituency office seeking assistance on a committee of adjustment hearing. The constituency office supplied her with a four-point plan. The committee of adjustment hearing ended up in court.

Interjections.

Mr Stockwell: No, this is 1990. The lady was asked under oath what the office of the member for Etobicoke-Lakeshore told her she do. She said she was given a hand-written four-point plan from that constituency office: (1) call the Ministry of Municipal Affairs; (2) join a ratepayers' association; and (3) call Etobicoke legal aid services. All are important and worthy things to tell a constituent. Number 4 was kind of interesting, though. It said to get involved in municipal politics and join an anti-Faulkner campaign. Mr Faulkner happens to be a councillor in that area. He also has some political ties; they just do not happen to be NDP.

Would the Premier not consider this to be inappropriate use of a constituency office paid for not only by the taxpayers, but the real rub here is that it is also paid for by Mr Faulkner himself?

Hon Mr Rae: As I heard the member's question, and I have not had any particular notice of it, he is referring to something that he alleges or someone else alleges took place in February or March 1990. I have not seen anything. He has not shown me any documents. I have not

seen any statement he is making. I do not know exactly what he is talking about.

What I do know is that this alleged incident took place some seven months before the last provincial election, so he is referring to something that he alleges may or may not have taken place in a constituency office of an opposition member about a year and a half ago. I think that is what he is talking about.

Having put that in that perspective, I can only say to the member that I look forward to seeing whatever documentary or other information he has with respect to any allegation he has. Otherwise, I have no intention today, a week before the municipal election on which he has conveniently asked the question, of interfering in that election in any way whatsoever.

Mr Stockwell: That may be considered a fair answer. Let me offer a little bit more information to the Premier. The lady, Mrs Deronov, who lives on Melrose Avenue in Mimico, in fact swore under oath that this letter was written at the constituency office of the member for Etobicoke-Lakeshore at this time, and she was told to do just exactly those four things.

I think what is important to point out is that what really strikes at the heart of this issue is, who do members think is now running against Mr Faulkner in Etobicoke-Lakeshore under the NDP banner? None other than the member for Etobicoke-Lakeshore's own constituency assistant. Here we have a case of the Minister of the Environment's constituency office advising residents to join in campaigns—

Interjections.

The Speaker: Order. The supplementary?

Mr Stockwell: Here we have the Minister of the Environment's constituency office advising residents to join in campaigns opposing the local councillor so that her constituency assistant, a card-carrying NDPer, may run against Mr Faulkner in the next election. I will point out that this lady did swear to this under oath and provided the four-point plan.

The Speaker: Would you conclude your question, please.

Mr Stockwell: I spoke to the city solicitor in Etobicoke and he said that is in fact what happened. I say to the Premier, may I remind him—

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The Speaker: No. Do you have a question?

Mr Stockwell: Yes, I do.

The Speaker: Will the member take his seat?

Mr Elston: On a point of order, Mr Speaker: I will not take part in that type of flippant cutting off of my colleague in the Conservative Party. I will not allow you to cut him off when he was about to ask his question. You let him put his question.

The Speaker: All right. Just relax.

Interjections.

The Speaker: Order. Members have quite rightfully asked repeatedly that we keep the questions short and crisp

and that the Speaker keep a sharp eye on the clock, which indeed the Speaker is doing. I asked the member three times to place his question and yet I did not hear an interrogative part.

Interjections.

The Speaker: I realize the member is relatively new to the chamber, but at the same time he has had a number of opportunities. Now, in the interest of fairness, if the member can succinctly place a question and nothing but a question, then we will continue.

Mr Stockwell: I apologize. I sincerely did not mean to be flippant to you, Mr Speaker. This lady has supplied me a piece of paper. This four-point plan was written and sworn under oath that this is what in fact she was told to do. The facts are indisputable. My question is, what is the premier going to do about it?

Hon Mr Rae: Because of something he has just said, the member states that the facts are indisputable. I think that members, in any sense of a spirit of fairness, would want to put that in some perspective. There are going to be many allegations made in this House from time to time about various things. The member referred to something in the Minister of the Environment's constituency office. At the time which this alleged conversation allegedly took place, the member for Etobicoke-Lakeshore was not the Minister of the Environment; she was a simple member of the Legislature.

Interjections.

Hon Mr Rae: No. All I am saying is that of course we will, now that the member has made this allegation. I am sure the member for Etobicoke-Lakeshore will want to have an opportunity to respond. I notice with interest that the member raised the question on a day when the member for Etobicoke-Lakeshore is not even here and able to reply in any way, shape or form.

Mr Eves: She talked to him about it yesterday and she chose not to show up today.

Hon Mr Rae: All I can say to the honourable member is that obviously this is the kind of thing that will be looked into.

Mr Stockwell: On a point of order, Mr Speaker: I did this on a day the minister was not here—

The Speaker: That is not a point of order. Someone's absence is not a point of order.

HOSPITAL SERVICES

Mr Elston: I have a question to the Minister of Health. On Friday, the minister's deputy had received information from the Ontario Hospital Association that indicated 4,400 jobs will be eliminated from Ontario hospitals this fiscal year. The minister in fact had celebrated the layoff of some 250 people here last week because she indicated there were some 200-plus beds being closed down in the Toronto Hospital and said there were more to come, more jobs lost and more services cut. She was celebrating the fact that they were "moving in the right direction."

In the minister's October 29 letter to hospitals and district health councils she talked about "service changes,"

which are really code words for service cutbacks and that obviously there are more of these to come. Most of these cuts will result in nursing jobs being lost. How many more nurses will have to lose their jobs to pay for their hard-fought increases won on the bargaining tables of this province? How many more nurses will lose their jobs to pay for the pay equity plan which the minister has announced but which she has been unwilling to find the money to fund?

Hon Ms Lankin: The member says these are code words. In fact, in a question he raised with me last week I think he made a similar allegation, that the words I use are code words for other things. May I say that just because he asserts that, it is not in fact my interpretation of the words I used and the intent I put forward.

When I talk in the letters about the fact that there are service changes taking place, what is happening in the hospital sector is that with the kind of funding that has been put in place, hospitals are looking at whether or not they are able to meet their budget projections. Where there are deficit projections, we are working with them to try to address those situations.

May I suggest that in the majority of hospitals in this province, there are not deficit projections this year. The kind of suggestion we have made to the district health councils and hospitals that have worked together is to try and develop a rational plan to deal with areas where we think there may be deficits.

Mr Elston: The fact of the matter is that as a nurse's job is lost, service declines. Where there is an unwillingness to fund the hospitals that are coming under severe pressure economically they will cut jobs—jobs of a lot of those of nurses who are on the floors looking after patients whom people in this House know about.

It is interesting to note in this October 29 letter that there are a whole series of great sentences and lines. One is, "Doctors and the government will work together to bring greater fiscal certainty to health care." Where is the role of nurses in talking about this, since it seems that the minister has targeted the layoff of nurses and support staff to pay for the cost of managing the system?

Further, why did the minister finish by saying the ministry's vision is and will continue to be "an affordable, high-quality, appropriate system that results in healthier Ontarians," when her whole letter refuses to address the one clear question we have been struggling with all along, which is accessibility? If there are no nurses to give the services, there ain't no services. Why will the minister not own up to that?

Hon Ms Lankin: The member asks why I will not own up to that. I disagree with what he is proposing as being the indications I am putting forward in these letters. What we have suggested is that in those areas where there are hospitals that are facing deficits, they need to sit down with the other hospitals in their regions and with the district health council in order to rationally plan the direction. In fact, the majority of the hospitals in the province do not face deficits at this point in time.

With respect to the question the member raises about the role of nurses and what role in fact they should be playing with respect to this consultation around the deficit in existing hospitals—

Mr Elston: Nurses are losing their jobs every day.

The Speaker: Order.

Hon Ms Lankin: Thank you, Mr Speaker. It is very hard to respond when people are not listening and it is hard to keep track of where we are headed.

In fact, what we have asked, in the very letter the member refers to, is that hospitals meet with their employees. In the hospital funding review we have going on, we have invited representatives from hospital unions, including nurses, to be there and they are there as part of the process. I hope we will show the honourable member that the process is respectful of nurses, that we think they are important and that they have to be heard as we roll through these difficult times.

PRESCRIPTION DRUGS

Mr Sterling: My question is also to the Minister of Health. Of all of the drugs that have been developed for schizophrenic patients, chlozapine offers the best hope of all. The federal government and nine other provinces have approved of its use. Why does the minister not?

Hon Ms Lankin: It is not a question of not having approved of its use. As the member may know, the federal department of drugs just approved the process. We have had it in our psychiatric hospitals on clinical use. There are some 2,000 patients who are currently receiving it.

The problem I had about a month ago when it was approved federally is that there were no dollars in the budget for expanding the program immediately. We are currently trying to find those dollars with respect to how the drug benefit plan and the catastrophic drugs are funded. I agree with the member that it is an important drug. It can be very helpful and actually can help to keep people out of hospitals and I am trying to find the way to fund that.

Mr Sterling: I cannot understand the logic or reasoning behind the answer. It is my understanding that the minister's officials have consulted with the medical profession over the past summer and that those consultations have come to an end.

The mother of a constituent of mine whom I will refer to as John has contacted me in desperation as she fears for her son's life. Other drugs make him sleepy, lethargic and depressed. He is in and out of hospitals; he is called a revolving-door patient. In that many of these schizophrenic patients are wasting away and one in 10 commits suicide, how can the minister stall this decision any longer?

Hon Ms Lankin: I am not attempting to stall the decision; we are attempting to make the decision. The situation we face, as I said, is that some 2,000 people were involved in the clinical trials through the psychiatric hospitals. They are still receiving the drug funded through those hospital budgets.

With respect to the individual case that he raises, I do not know if that person was in a hospital and on the drug. New patients are seeking access to that drug. We are trying

to find a way of monitoring the use of it so that in fact it is an effective diversion from hospital beds, and we are trying to find the way to fund that within the context of the budget we face this year. There is, in our expectation, about a \$12-million budget attached to that. I am hoping to find a way to be able to fund it, but in the month since the federal approval was given I have not been able to finish that review to this point in time.

1440

GOVERNMENT CONTRACTS

Mr Hansen: My question is to the Minister of Government Services. Recently, concern has been expressed about the Ministry of Government Services tender call for recycled fine-grain photocopy paper for the Ontario government. There is a suggestion that an American producer of recycled paper, Patriot Paper, is being considered for this large contract despite the fact that there are a number of Canadian companies bidding on it.

Can the minister comment on these reports and assure the House that his ministry will make every effort to award this contract to a Canadian company?

Hon F. Wilson: I thank the member for Lincoln for the opportunity to set the record straight on this matter. The contract in question was awarded last week. The winning company was Xerox Canada. The expected value of the tender was \$3 million. I am glad to tell the member that the paper will be produced at two plants in Ontario, one of which is Noranda Forest Recycled Papers in the Niagara region; the other is Domtar at Cornwall.

I would also like to inform the member that, contrary to news reports, Patriot Paper was not involved in bidding for this contract at any point.

Mr Hansen: I am sure the minister's answer will be good news for constituents in my riding and for those in the riding of the member for St Catharines who work at the Noranda mill. My concern extends beyond this particular contract. Can the minister tell the House how this government ensures that Canadian companies get consideration for government contracts?

Hon F. Wilson: In the interest of supporting Canadian business and Canadian workers, the Ontario government extends a 10% preference on Canadian content in goods and services it buys. This applies to all purchases over \$15,000. I strongly endorse this policy because it helps to improve the ability of Canadian companies to win Ontario government bids while allowing us to keep the cost to the taxpayer as low as possible.

SUPPORT AND CUSTODY ORDERS ENFORCEMENT

Ms Poole: My question is for the Attorney General. On February 11 the Attorney General appeared before the standing committee on administration of justice to discuss Bill 17, the support and custody orders enforcement legislation. He stated that the family support plan "is about ensuring a decent standard of living for the women and children of this province" and that it is "a very important tool in the fight against child poverty and [that] this fight is a priority for the government of Ontario."

Tens of thousands of women across this province and over 110,000 children live below the poverty line because they do not get the family support payments to which they are entitled. The legislation to remedy this situation was passed five months ago. The NDP government has had lots of time to set up the necessary system. If the fight against child poverty is really a priority for this government, how does the Attorney General explain to these women and their children why he has delayed the program until the start of next year and why he has cut almost \$1 million from its budget?

Hon Mr Hampton: First, to deal with the allegation that \$1 million has been cut from the budget: Last year, because there was such a backlog with the SCOE program, we took the step of putting between \$2 million and \$2.5 million into the program to deal with the backlog. That was a very successful undertaking. It enabled us to deal with some claims that had not been dealt with for many months. Having done that, we are now ready to move on.

The member asks, "Why will the program not be implemented until March of next year?" As I pointed out yesterday, we found as we worked on the implementation that some of the organizations and some of the groups that we need to work with are asking us to ensure that all the steps are taken; for example, meeting with business organizations that will have to make the payroll deduction to work through issues such as the trading back and forth of information and forms.

Second, we have looked at where the program has been implemented elsewhere, and where it has been implemented most successfully elsewhere has been following a concentrated public information program. Following, for example, the state of Florida, that is what we are doing. Over the next three months we will have a concentrated public information program that will hopefully increase public awareness of the magnitude of the problem and the steps we need to take to encounter it.

Mrs McLeod: The minister essentially gives the same answer he gave us yesterday, and it is the source of our confusion. We would understand \$1 million being spent on a public awareness campaign to increase and encourage voluntary compliance if it were not for the fact that this government has already passed legislation that takes voluntary compliance right out of the picture.

The only conclusion we can come to is that this minister and this government are having some second thoughts about the very basic principles of the legislation they put through this House last June. We would simply ask, without all the detailed explanations of why this legislation is delayed, why there has been \$850,000 cut from the budget for implementing this program. What message is this government giving to the women and children who had reason to expect their support would be in place this fall?

Hon Mr Hampton: Again, no funding has been cut from the program. The fact of the matter is that we topped up the program last year with over \$2 million in additional funding to deal with the backlog.

Having dealt with the backlog, we are in a position to implement the family support plan. Part of implementing

the family support plan is to go through all the steps we need to go through with organizations that will have to work with the program. The other part of it is to have a good public information program. Part of the policy and part of the plan is to make the public aware of how serious this problem is and in effect to increase the peer pressure on individuals who have not been paying their support to pay it.

TEACHERS' RETIREMENT BENEFITS

Mrs Cunningham: My question is for the Minister of Education. As he is aware, secondary school students in Elgin county have lost 14 school days because of an ongoing strike. The teachers rejected the board's offer because they want to reinstate retirement gratuities that were grandfathered in 1977.

Retirement gratuities are an unfunded liability for school boards across this province that enable teachers to accumulate unused sick days and cash them in on retirement. This can amount to \$30,000 per individual and will escalate with future salary increases. This board estimates that removing the grandfather clause for all board employees will cost local taxpayers about \$4 million over the next five years.

The minister should be aware that in the third report of the select committee on education, one which his House leader was party to over some very serious deliberations, recommendation number 26 states, "Unfunded retirement gratuities should be included in school boards' auditing functions and financial statements." Will the minister refer that issue to the Fair Tax Commission for its deliberation?

Hon Mr Silipo: I will say to the member that I will be very prepared to take a look at her suggestion and make a decision about whether or not this is the kind of thing I should refer to the Fair Tax Commission. Clearly whether or not I refer the issue to the Fair Tax Commission, it is certainly open to that commission to look at this issue, as it can look at any other issue in terms of the refinancing of education.

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Mrs Cunningham: The minister should know that the two sides in this dispute are at an impasse and have not met since the day before the strike began. It is essential that we resolve this strike before the students lose any more of their school year. The retirement gratuities issue is part of the larger education finance picture. As legislators, we have to begin to ask ourselves a tough question: Can taxpayers afford both a fully indexed teachers' pension plan, which can amount to \$39,000 after 35 years of service, and a \$30,000 retirement bonus?

The Premier campaigned last summer on tax fairness. He was particularly concerned about rising education and property taxes, because property taxes are not based on ability to pay. I think retirement gratuities are a fair tax issue. They are also, according to the report of the select committee on education, a local governance accountability issue. In this light, will the minister refer the issue of retirement gratuities to the Fair Tax Commission so that we can have a meaningful discussion for the boards and the teachers as to how to handle this sensitive issue, so we do

not have young children being deprived of their education on this issue?

Hon Mr Silipo: The member continues in her supplementary, as she did in her first question, to link the issue of retirement gratuities, within the broader policy issue of referring this matter to the Fair Tax Commission, to the strike going on now in Elgin county. I think she will understand the sensitivity of the issue and also understand that I have to be very careful in terms of any statements I make, in not being seen to be in any way interfering with the collective bargaining process that is going on.

It is for that reason also that I would say to her, as I have said in answer to the first question, that I will take her suggestion under advisement and will look into whether this issue is something that should be referred to the Fair Tax Commission. But again, whether I do or not, the Fair Tax Commission is able under its mandate to look at this kind of issue, as indeed it can look at any other issue dealing with the financing of education.

WILDLIFE MANAGEMENT

Mr Klopp: My question is for the Minister of Natural Resources. I have in my hand a document, Looking Ahead: A Wildlife Strategy for Ontario. As the minister knows, when we think of wildlife, we often think of northern Ontario. However, we do have wildlife in Huron county, as the minister is aware.

An hon member: In Zurich.

Mr Klopp: Even in Zurich, near Zurich. What is the status of the process in the development of the wildlife strategy? Where is the ministry at?

Hon Mr Wildman: The member has the report, just as all members have the report, because we released it on January 20 in this House, so all members have the report, as do many groups across the province. The report is the result of two years of work that was put forward by the previous government. An 11-member committee representing a wide spectrum of interests related to wildlife management in the province worked on the development of a strategy and came up with 62 proposals for new strategies that we hope, after consultation, will lead us eventually to the development of a new wildlife act that we hope to be introducing in this Legislature next year.

Mr Bradley: Was the House sitting on January 20?

Hon Mr Wildman: June 20.

Mr Klopp: One of the concerns that has been brought to me by a number of people in my riding is that of the consulting process. We had to go to Lambeth, near London, and a few of them have gone, but they were concerned about the time frame. Since the report has been brought out, will they have a chance to see the final draft before it becomes the policy of this government?

Hon Mr Wildman: The report was released for public consultation for 90 days. The 90 days was finished at the end of September. We have extended that because of the interest. I am informed that we have had over 500 individual responses. We have also had several formal submissions at the 15 meetings we have had, and we are going to have 10 more meetings across the province. Today

alone, we received 30 submissions on this. There is a tremendous amount of interest across the province. I will make the commitment here today that when we come up with a final draft policy, that will also be subject to public consultation and will lead eventually to the drafting of legislation that will make Ontario a leader in wildlife management in North America.

LONG-TERM CARE

Mr Miclash: My question is to the minister responsible for long-term care. Over the last 12 years, the residents of Dryden have indicated a very real need to have a sister home to Kenora's Pinecrest home for the aged to secure residential treatment for Dryden's seniors. When I was elected in 1987, the Dryden extended care organization was one of the very first to solicit my help to achieve its goal, that goal being to provide a facility to care for their elderly, which is now being done in Kenora, some 110 kilometres away. One only has to imagine what hardships this would bring to families and those people needing this care. The minister has the recommendations from the services for seniors study for the Kenora district which indicates there should be movement towards the establishment of a sister home.

Let me summarize: 12 years of extensive lobbying to show the need. It is obviously there. The study is in. It justifies the need. Will the minister make this a priority? The residents of Dryden would like to know.

Hon Ms Lankin: I assure the member that I will ask for that report to be brought forward and I will take a look at it. I am sorry I am not familiar with it from that part of the province. It has not come forward. I know we are not in a situation right now of expanding nursing home beds but there have been a number of beds approved in parts of the province that have never been moved on. I am not sure if that incorporates the member's region or not. I apologize for my lack of knowledge on it. I will get further information and report back to him.

Mr Miclash: The minister should look to her right where she has a minister from the north. Behind her she has two ministers from the north. To her left, she has a minister from the north, and behind him, the Attorney General. The Attorney General's riding abuts my riding part of Dryden. I am surprised the minister does not know of this most important issue that the people of Dryden have brought forward. I really want the minister to take a look at this and come back with a commitment, a commitment that was made during the 1990 campaign by the NDP candidate. He said that her government would take a look at this immediately. Will the people of Dryden have to wait as long for the home for the aged as the people of Ontario have waited for long-term care?

Hon Ms Lankin: It is not a question that deserves a straight answer in the sense of the way in which the member has put it forward. What I have said to him is that I will look into the status of the request from that district health council. There are a number of things in northern Ontario that we have moved on. My colleagues have raised many concerns. There was a facility opened in Sioux Lookout at the end of August. It was a \$4 million expenditure at that

point in time. I think that to suggest there is not concern and action is unfair. However, I have said to the member that I am unaware of the specific request. I will get the information and will respond to him when I have that.

AUTOMOBILE INSURANCE

Mr Tilson: I have a question for the Minister of Financial Institutions. I am sure the minister is aware that in an Angus Reid poll released today, 78% of Ontarians want the government to keep its promise and restore the right of innocent accident victims to sue. I do not imagine this would surprise the minister, because up until just a while ago, he and his government also supported the restoration of this inherent right of individuals in this province.

The Minister of Financial Institutions, I am sure, will remember his words of December 20, 1990, in the debate over the member for Leeds-Grenville's bill regarding the restoration of the right to sue. The member stated at that time, "I am going to support this piece of legislation because it deals with the most offensive part of Bill 68: the threshold." It is very clear that the minister's auto insurance legislation will involve the threshold test. For some reason, the threshold test no longer bothers him. Why is the minister going to break his promise to restore the right to sue when 78% of the Ontario population want him to honour his original position?

Hon Mr Charlton: The member's question is one that has been raised a couple of times here in the House since our announcement in September, and the question is interesting because he relates it to the poll that was released today. It is interesting to note that, first of all, it does not matter how we ask the question, whether we ask whether people want us to restore the right to sue or whether they want the right to claim, the answer comes out the same as it did in the last poll conducted by Angus Reid, where the wording was quite different but the result was the same.

Our commitment has not changed at all. We are determined to proceed to introduce a system that balances benefits with costs, that ensures a fair distribution of benefits to accident victims, that implements the right to sue for pain and suffering for innocent accident victims and that ensures overall that the system is affordable and fair in its delivery of adequate accident benefits to the auto accident victims in this province.

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Mr Tilson: The people of this province want what the government has been promising for over a year and what the Premier and the member for Welland-Thorold stated in his 17 hours last year. They want the full right to sue, and the government is not going to give them that.

Under the present auto insurance legislation, a small percentage of people who have been seriously injured are able to sue for loss of past, present and future income. It is clear that under the minister's new, elusive piece of legislation we are patiently waiting for, the government will add insult to injury by not only breaking its promise to all Ontarians to restore the right to sue but by taking away the right to sue for economic loss. By taking away this right, the minister will be hurting the most vulnerable people of

the province, the people who have been seriously injured, possibly for life.

The minister is conning the people of Ontario. By lowering the threshold, he is giving the impression that he is extending the right to sue, when in reality he is taking away one of the only rights that was maintained in the present no-fault package, the right to sue for economic loss. Why is the minister removing the right to sue for economic loss?

Hon Mr Charlton: Simply put, in very short order, we are removing the right to sue for economic loss for about 5% of the accident victims in this province and implementing accident benefits that include past, present and future losses of income to all accident victims who are seriously injured as a result of auto accidents. We intend, as I said, to ensure that the benefits are more fairly distributed to everyone who deserves those benefits, and not just those who win court cases.

ONTARIO HYDRO RATES

Mr G. Wilson: I have a question for the Minister of Energy. I hope he can clear up some confusion that has arisen, I think, in part out of comments in the House. It is something constituents have brought to my office, and I am sure other members have had the same question put to them, because it is a very important issue. It has to do with the rate hikes that have been publicized regarding Hydro. The figure of 44% over the next three years has been suggested. I wonder whether the minister has some comment about this figure.

Hon Mr Ferguson: Members will know that some time ago the chair of Ontario Hydro was interviewed on this matter and he was asked a question—

Interjections.

The Speaker: Order.

Hon Mr Ferguson: I can continue now? Thank you. The chair of Ontario Hydro, in an interview *scrum*, was asked the question where Ontario Hydro rates would be going in the future. At that time he was asked if Hydro rates could increase as much as double-digit over the next three years. The Hydro chair at that time replied, "Yes, there could be double-digit increases over the next three years." From that statement, somebody extrapolated the figure of 44%.

The fact of the matter is that Hydro rates will not be increasing 44% over the next three years. The increases in fact will be much lower than that. I think it would be pure speculation on anybody's part as to what the increases would be in the next two to three years.

NATURAL GAS

Mr McGuinty: My question is for the Minister of Energy as well. If Bill 118 became law, it would authorize Hydro to subsidize ratepayers to switch from electricity to natural gas. More specifically, the cost of this fuel switching program will be added to the Hydro rates of all ratepayers, including those ratepayers who do not have access to natural gas and who have no reasonable prospect of getting natural gas in the foreseeable future. These ratepayers, quite

understandably, are extremely anxious to meet with the committee dealing with Bill 118 to express their very serious reservations about the fuel-switching program. Most of these ratepayers reside in rural and northern communities, including Gore Bay, Sioux Lookout, Wingham, Rockwood, Bonville and hundreds of others. In fairness to those hundreds of thousands of ratepayers who do not have access to gas, does the minister believe our committee should visit their communities?

Hon Mr Ferguson: Encouraging residents of this province, in the north or in the south, to switch to alternative fuels in the future will not be the only program or initiative this government comes up with. I want to suggest to the honourable member that if he could explain to the residents not only of the north but perhaps even of his own riding the number of programs that are readily available and accessible to the people of Ontario, there are great savings that can be achieved by all consumers across the province—in fact, savings greater than the proposed 11% increase in 1992.

Mr McGuinty: I want to acquaint the minister with some of the specific facts behind this and the reason I am asking him. Yesterday at the subcommittee meeting of the standing committee on resources development, a government member provided me and my Conservative counterpart with a list of communities to be visited by our Bill 118 committee. We were told the list was not negotiable, subject to perhaps one exception. That list did not contain a single community that is not serviced by gas.

The government has held itself out as being committed not only to consultation but to a fair consultative process which genuinely works towards obtaining the views of all parties affected by government initiatives, including those that stand against it. By refusing to allow our committee to visit our rural population and those parts of the north that are not serviced by gas, this government is deliberately preventing our committee from hearing from those communities which stand to lose a great deal from Bill 118.

Will the minister here and now undertake to provide instructions to his committee whip to permit our committee to visit communities that are not supplied by gas and, more particularly, to ensure that one half of the communities we visit are not serviced by natural gas?

Hon Mr Ferguson: In answer to the member's question, I understand the committee will be visiting Thunder Bay, for example. There is a large part of Thunder Bay that is not supplied by gas. We are prepared to visit any community across Ontario. My understanding of the discussions that took place was that they simply wanted to concentrate on major centres so that as many people as possible could appear before the committee. It is as simple as that.

PARLIAMENTARY PROCEDURE

Mr Elston: On a point of order, Mr Speaker: Today I became just a little bit exercised with you when you stood up and chastised our people when there was some noise in relation to answers being given by the other side. At the time the Minister of Health indicated she was unable to hear the question, the people who were interrupting were the Minister of Transportation and the Minister

of Northern Development and Mines. The problem for me, Mr Speaker, is that you immediately turned to our side of the House and said, "Order," and you did not address your concerns to those people. If you are not going to address the need for some balance of activity in this House, then it is going to be very difficult for us to understand how you are going to hold the confidence of all members in conducting a balanced legislative session here.

The Speaker: Indeed I think the Leader of the Opposition knows full well that I take my job of maintaining order and decorum in this chamber very seriously. I certainly appreciate when every member of the assembly does his or her best to maintain a calm and reasoned approach to debate. There will be times when there will be noise in the chamber. I certainly do my best to make sure it is not excessive, but at the same time I respond as best I can to requests from individual members when they indicate they cannot hear a question or a reply. I will continue to deal with that in an evenhanded way. I appreciate everyone's assistance in this matter.

1510

PETITIONS

CHRONIC FATIGUE AND IMMUNE DYSFUNCTION SYNDROME

Mr Carr: I am pleased to table a petition signed by concerned residents of Oakville and the surrounding area which reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas chronic fatigue and immune deficiency syndrome...is a chronic, debilitating disease currently affecting over two million adults and children in North America; and

"Whereas diagnosis is difficult and the direct costs to our health care system are enormous, there is a drain on the social services and tax revenues are severely affected because affected people cannot work;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to support the establishment of a task force to study the most appropriate method of establishing an information centre and clinic to provide both information and care to persons with CFME, their families, physicians, educators and others."

I will be signing that.

OATH OF ALLEGIANCE

Mr J. Wilson: I have the pleasure to present a petition to the Legislature of Ontario on behalf of my constituents in the riding of Simcoe West. It reads as follows:

"Whereas the Queen of Canada has long been a symbol of national unity for Canadians from all walks of life and from all ethnic backgrounds; and

"Whereas the people of Canada are currently facing a constitutional crisis which could potentially result in the breakup of the federation and are in need of unifying symbols;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to restore the oath to the Queen for Ontario's police officers."

That is signed by a number of people from Ottawasaga township, Stayner and Sunnidale township. I do have affixed my name to this petition.

INTRODUCTIONS OF BILLS

HEALTH CARE WORKERS' PROTECTION ACT, 1991

LOI DE 1991

SUR LA PROTECTION DES TRAVAILLEURS DE LA SANTÉ

Mr Morrow moved first reading of Bill 147, An Act to protect Health Care Workers from the Transmission of the Human Immunodeficiency Virus.

M. Morrow propose la première lecture du projet de loi 147, Loi visant à protéger les travailleurs de la santé contre la transmission du virus de l'immunodéficience humaine.

Motion agreed to.

La motion est adoptée.

Mr Morrow: The purpose of this bill is to protect health care workers from the transmission of HIV in the course of their employment. The bill provides for certain precautionary measures, such as the use of precautionary equipment, the disposal of hazardous materials and adherence to certain sanitary measures to be followed by the health care employees.

This bill guarantees that no worker will lose his or her job as a result of having contacted the virus. The bill further ensures the employers assign duties and responsibilities that are similar to regular duties and responsibilities to a worker who has contacted the virus if the continuation of these regular duties and responsibilities would endanger the safety of the public and certain workers.

RETAIL BUSINESS HOLIDAYS AMENDMENT ACT, 1991

LOI DE 1991

MODIFIANT LA LOI SUR LES JOURS FÉRIÉS DANS LE COMMERCE DE DÉTAIL

Mr Elston moved first reading of Bill 148, An Act to amend the Retail Business Holidays Act.

M. Elston propose la première lecture du projet de loi 148, Loi modifiant la Loi sur les jours fériés dans le commerce de détail.

The Speaker: Is it the pleasure of the House that the motion carry? No?

All those in favour will please say "aye."

Those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

La motion est adoptée.

Mr Elston: As my question in the House earlier today indicated, I have introduced a bill that really is a copy of the amendment that is being put forward by the member for Oakville South in the committee dealing with the legislation, which is under the charge of the Solicitor General. In reply to a question asked first by our party and second by the member for Oakville South, the Solicitor General said his consideration of legislation would not allow him

to support that amendment. This now gives him the opportunity of supporting an amendment—

Hon Mr Cooke: Are we debating this?

Mr Elston: Mr Speaker, I am now being prevented from talking to the bill by the House leader.

The Speaker: The honourable leader of the opposition will know that it is customary on first reading to make a brief statement about the purpose of the bill.

Mr Elston: On a point of order, if that is necessary, Mr Speaker: I am only introducing this bill because the Solicitor General has refused to allow a motion to carry in the committee of the Legislature that would eliminate the need for this bill. Having said that he will not support it in that forum, I have brought it by way of a bill to this forum so that we can vote on it. Mr Speaker, all I am saying to you in my explanation is that I am only doing this because the Solicitor General has refused to intervene to save some 3,000 jobs and therefore this bill is needed.

To conclude, if the government will allow us to go ahead and pass this bill, we can deal with it very quickly. We can save 3,000 jobs. We can assist people in coming to grips with the harsh economic reality that they need to work when work is offered. Let's allow those people to work. Here is the option the Solicitor General needs. He can do it either in committee or by supporting this private bill.

DISTRICT OF NIPISSING AND PARRY SOUND ACT, 1991

Mr Eves moved first reading of Bill 149, An Act respecting the Amalgamation of Municipalities in the Districts of Nipissing and Parry Sound.

Motion agreed to.

Mr Eves: Very briefly, the Ministry of Municipal Affairs has had for some time now, in fact under the previous government, an ongoing review of municipalities and the organization of municipalities throughout Ontario. Many municipalities, not only in the riding of Parry Sound but also in the district of Nipissing, have been participating in this review. They have been told conflicting stories by the ministry officials. Some have said there will not be annexation or amalgamation without the consent of the municipalities involved. Yet other officials in the Ministry of Municipal Affairs have said that is not the case and that the ministry is going ahead with amalgamations, government reorganization, regional government or two-tier government—call it what you will—whether the municipalities want it or not.

I think it is very important that the elected representatives in those municipalities, where they are organized and have councils, or local services boards and unorganized municipalities where they have them, or failing that, that majority of residents in unorganized municipalities, have their say and agree to such amalgamation. Otherwise, I do not think it should take place. That is the purpose of the bill.

1520

ORDERS OF THE DAY

FRAUDULENT DEBTORS
ARREST REPEAL ACT 1991LOI DE 1991
ABROGEANT LA LOI SUR L'ARRESTATION
DES DÉBITEURS EN FUITE

Mr Hampton moved second reading of Bill 76, An Act to repeal the Fraudulent Debtors Arrest Act.

M. Hampton propose la deuxième lecture du projet de loi 76, Loi portant abrogation de la Loi sur l'arrestation des débiteurs en fuite.

Hon Mr Hampton: The Fraudulent Debtors Arrest Act has been part of Ontario law in its present form since 1909. Its history can be traced back to pre-Confederation days when property rights were often viewed as more important than the civil rights of individuals. This bill will remove from the statute book a method of arresting and imprisoning a citizen for civil debt which, outside the context of family law, is quite archaic. The creditors, lawyers and interest groups the Ministry of the Attorney General has consulted with unanimously endorse this bill.

Fortunately, the existing act is rarely used now that numerous modern legal remedies that focus on the assets rather than on the person of the debtor are available. Of course, where spouses are in default of their family support obligations, the remedies provided in other legislation including the use of imprisonment in appropriate cases will continue to be available.

The arbitrary arrest and imprisonment provisions provided in the Fraudulent Debtors Arrest Act can no longer be tolerated. I am pleased therefore to put before the House a bill calling for its repeal. I am anxious to hear the contributions of members from the opposition on this bill and I understand that at least one of them has some remarks he would like to make. I will listen now to the contributions of the opposition.

Mr Chiarelli: We certainly support this bill and see nothing objectionable in it, with a couple of riders. First of all, it should be known that if the Attorney General is going to address the issue of the citizens of Ontario being put in jail for what amounts to debts, I think the Attorney General should give some consideration to the reality that is happening out there in Ontario whereby people with unpaid parking tickets, which is basically a debt to a municipality or to a particular ministry, are in fact still being put in jail for non-payment of these fines, which are debts. They are basically being put in jail for what amounts to minor debts. In some cases it is for two, three and four days.

I think it is important the Attorney General look at the whole area of imprisonment for minor infractions and minor offences, particularly those relating to debts. But what this bill does is put in perspective that the Attorney General has no overall agenda. We see here this afternoon in the Legislature three bills being presented, Bills 76, 75 and 42. I cannot make any sense out of where the Attorney General wants to bring the province on the issue of administration of justice.

When one looks at this particular bill, Bill 76, it is being dealt with on what I think we can call an ad hoc basis. There are hundreds of bills in Ontario that need repealing and amending to refine the system of justice, but this Attorney General has no stated policy for dealing with it. All of a sudden, up pops a bill that has no context.

When we look at the three bills that are presented here today, there is no context in which we in opposition or the people of Ontario can place them in terms of the initiatives of the Attorney General. We see a little ad hockery here and a little ad hockery there and it does not make any sense whatsoever. There are fundamental reforms that are required in this province for the administration of justice and all we see is this Attorney General reacting to issues that happen to end up on his desk, and who is very passive when it comes to any significant reform.

I defy anybody in this province to look at the actions of the Attorney General and his ministry and be able to come up with any general sense of where he wants the administration of justice to go. There is simply nothing on the ground. There is nothing in the mail. We have what amounts to an ad hoc bill.

Even when we look at this ad hoc bill, we find it does not even address the question of people who have not paid parking tickets being put in jail. If the Attorney General is going to look at the issue of jailing people for debts, he should put it in some context, look at reforming the justice system instead of dealing with a bit of ad hockery. I urge the Attorney General to do that.

Mr Harnick: This bill, the Fraudulent Debtors Arrest Repeal Act, has been around for a while. It is an act the Liberals originally introduced in May 1990 and it is a bill the present Attorney General brought back, I believe verbatim, for first reading on April 23, 1991.

I am supporting this bill. I am going to be very brief. It is a bill that is finally going to rid this province of the concept and notion of debtors' prisons. But I do not understand why the bill was brought for first reading on April 23, 1991, and is still with us, and why it is one of the three bills the Attorney General is going to deal with in this particular session of the Legislature. I saw the wish list of the government House leader. There are only three Attorney General's bills on it, and I reiterate what my Liberal colleague just said: Where is this Attorney General going in terms of the administration of justice in this province?

This is a piece of Liberal legislation. The next bill we are going to deal with is the Law Society Amendment Act. It is a piece of Liberal legislation. The next bill is the Arbitration Act. It is a piece of Liberal legislation. That is it for this whole session of the Legislature.

I do not know what the Attorney General is doing. These little housekeeping items should have been finished last April when they were introduced. I do not know why they are hanging around so long. I do not know why the Attorney General does not bring us some bills dealing with access to justice, as he promised. I do not know why he does not take steps to improve the justice system in this province, and I do not know why we are wasting our time with things like this that remain on the order paper a year after they have been introduced.

Hon Mr Hampton: Let me thank both opposition critics for their most kind comments, and let me say to them, first to the critic for the Conservative Party, that when he can get his leader to stop occupying House time by reading into the record the names of the lakes and rivers of Ontario, that we will bring forward legislation for second reading at a much more rapid pace.

When the honourable member can assure us that we will have the co-operation of his colleagues, we will be very happy to oblige him with more legislation. In fact, I am still waiting to have from the Conservative critic his comments on the draft Limitations Act we have brought forward. I would have thought he would have jumped at that and been only too happy to provide us with his comments.

The member for Ottawa West asked—or made comments to the effect—what are we doing to deal with issues of incarceration with respect to minor offences like municipal bylaws and the Highway Traffic Act, etc. I am happy to tell him that we have been working on this issue since early this year and we will be bringing forward some legislation, I hope, this fall, if the schedule permits. That should interest him a great deal.

Otherwise, I repeat, I thank the two opposition critics for their very kind and supportive comments.

Motion agreed to.

La motion est adoptée.

Bill ordered for third reading.

Le projet de loi devra passer à l'étape de troisième lecture.

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LAW SOCIETY AMENDMENT ACT (TEMPORARY MEMBERS), 1991

LOI DE 1991 MODIFIANT LA LOI SUR LA SOCIÉTÉ DU BARREAU (MEMBRES PROVISOIRES)

Mr Hampton moved second reading of Bill 75, An Act to amend the Law Society Act.

M. Hampton propose la deuxième lecture du projet de loi 75, Loi portant modification de la Loi sur la Société du barreau.

Hon Mr Hampton: I am pleased to bring forward for second reading An Act to amend the Law Society Act. The purpose of this bill is to allow exchange programs between crown counsel and crown attorneys in the employ of the Ministry of the Attorney General and lawyers from foreign jurisdictions. This will enable the ministry to enhance its professional development programs.

The bill permits the Law Society of Upper Canada, upon the request of the Attorney General, to admit to the practice of law in Ontario lawyers who are not Canadian citizens or permanent residents. This temporary membership carries with it all the rights and responsibilities accorded to lawyers save the right to vote in law society elections.

The essence of the bill is this: We have a number of very qualified, capable and experienced crown attorneys and crown counsel within the Ministry of the Attorney General. In order that they may broaden their careers and

obtain experience elsewhere, we would like to be able to engage in exchange programs with other jurisdictions. However, legislation such as this is needed to further the exchange program.

I understand both of the opposition critics are again in support of this legislation, but they may have other comments they wish to offer.

Mr Chiarelli: Again, this is a very narrow bill that is probably going to have some limited impact or usage. On the other hand, although we are going to support it, we support it with great caution and with some advice to the Attorney General. On the face of it, this particular bill is quite broad in the sense of what amounts to the discretion of the Attorney General. We will see in the Ministry of the Attorney General or the Ministry of the Solicitor General persons who will be allowed to practise law in those ministries who may not in fact be qualified. As the minister knows, there is a very strict qualification process in Ontario for people to be admitted to the bar and practise law and we are creating an exception here.

The bill itself raises more questions than it answers, because it is so narrow. First of all, why would the Ministry of the Attorney General or the Ministry of the Solicitor General be given the favouritism to import legal practitioners on a temporary basis?

We know the ministries have various exchange programs and from time to time have special needs, but I ask the Attorney General, what about large corporations, for example, with in-house counsel? From time to time, large corporations may have special needs for counsel from outside the jurisdiction. This bill will give to the Attorney General the right to say: "I, as a person who has to hire lawyers, will be given an exemption. I will be able to bring in a temporarily approved or qualified practitioner." But the large corporation that may have special needs on a temporary basis does not have the same rights. I say the same thing of a large law firm practising in Ontario which may have special needs. It does not have the same rights to the exemption the Attorney General is giving himself and the Solicitor General.

I simply ask, why? If the Attorney General was going to introduce this bill and provide for temporary qualification, why does he give himself and the Solicitor General special treatment? Does he not think that perhaps a large corporation might have need of temporary counsel from another province to satisfy certain specific expert needs? What about a large law firm? I raise the question and say to the Attorney General that although we are going to vote for this legislation at this time, I think it is incumbent upon him and his ministry to look into the answer to that question.

The other question it raises and does not address is why the Attorney General feels we cannot satisfy this particular need from within the province. All who are familiar with legal practice in Ontario know that these are pretty tough economic times for a lot of firms and a lot of practitioners, and yet the Attorney General is passing special legislation for himself and the Solicitor General to permit practitioners to come in and take jobs in our public service.

legislation for himself and the Solicitor General to permit practitioners to come in and take jobs in our public service.

I ask the Attorney General, why is he doing it at this time? We know there has been an absolute flood of people coming into this government from Manitoba, particularly with NDP credentials. I wonder if the Attorney General and the Solicitor General might not be looking to some NDP practitioners from Manitoba or some other NDP province to give an NDP slant to the administration we are seeing through this whole government. I am raising the question.

This bill, when it is passed, will give the Attorney General and the Solicitor General the right to raid Manitoba for NDP practitioners and, believe me, Mr Speaker, you and I both know there are very few NDP practitioners in the legal profession in Ontario. If he wants to fill his ministry and the Ministry of the Solicitor General with NDP advice and NDP practitioners, this gives him a big opening to do it. He can just open the floodgates to Manitoba and fill his ministry, as we have seen this government do in a number of ministries over the last 14 or 15 months.

This raises the other issue of a non-agenda for this ministry: There is no indication of any kind of reform agenda whatsoever.

The last government, through the Minister of Industry, Trade and Technology, the member for Wilson Heights, and through the Premier, made special efforts to try to open up free trade among the provinces, professions and tradespeople, and very strong initiatives were taken. Here we see one little piece of legislation which addresses bringing in professionals from other provinces and perhaps other jurisdictions.

This bill raises the greater question as to what the Attorney General is doing to open up free trade of the legal profession across this country. We know there are interprovincial barriers in every area of our economy and basically in every profession. We know it exists in the legal profession; we know it exists in the accounting profession. We have certified general accountants in British Columbia who are qualified to do the same work as chartered accountants. They can issue opinions on financial statements of public companies, but they cannot do that in Ontario. That is a responsibility of the Ministry of the Attorney General.

We see no greater dealing with issues; we see ad hockery. We see little slivers of legislation being put forward. Again, these three bills here today underline that the Attorney General cannot make any kind of statement to this province or the legal profession as to what direction the administration of justice will be going.

The ad hockery is so total, so complete, that it borders on the irresponsible. We see a little support and custody orders enforcement here; we see a little bit of Law Society Act amendment there, we see a little debtors arrest act over there, and what does it say to the people of Ontario? It says: "We need a little filler from the Attorney General. Let's throw it in."

But when we look substantively at court reform, reform of the judicial system, where are we going in the 1990s and into the year 2000 with the system of justice we

have in Ontario? These three bills today say absolutely nothing. They simply raise questions. As I said, we will reluctantly support this bill, but I hope the questions being raised here now will be addressed in a serious way by the Attorney General and by the ministry.

1540

Mr Harnick: This bill is so simple and so straightforward that I do not hesitate to say that even the NDP backbenchers understand it. That is how straightforward it is. I am going to support this bill. Again, it is a bill from the former Attorney General, the member for St George-St David, whom I believe deserves the credit. The interesting thing is that this bill will be the fourth bill, I believe, since September 6, 1990, that the Attorney General has brought to this House. This bill was presented for first reading on December 17, 1990. It is one page long and it has now taken almost one year to get it back here for second reading—one year for a bill that allows crown attorneys temporary status before the Ontario bar so they can partake in exchange programs.

It took one year for this bill to come back and what really worries me is that if the Attorney General runs out of initiatives initiated by the former Attorney General, we might not have any more bills presented to this House by the Attorney General.

Hon Ms Gigantes: Don't worry; be happy.

Mr Harnick: The Minister of Housing is telling me, "Don't worry; be happy." Maybe she is right and maybe we should be happy and maybe the whole legal profession breathes a sign of relief when the Attorney General does not do anything. Maybe in that respect the best policy this government can have is to do nothing because everything it has done up to now has been a disaster. Maybe the Minister of Housing is right when she says, "Be happy that we are doing nothing." I guess the only way people can be assured is if this government commits itself to doing nothing; then nobody has to worry. We can just wait three more years and then the government will be replaced and things will start to happen again. I appreciate the Minister of Housing interjecting because it helps me along in thinking of more things to talk about.

Getting back to the bill, it is a very straightforward bill. As I say, everybody on the government side of the House has to understand what this bill means. I am going to support it. It is an initiative of the former Attorney General and it is a good piece of legislation. It promotes learning on behalf of crown attorneys. I think they will be pleased with this bill, as I am, and I will be supporting it.

Hon Mr Wildman: I listened very carefully to the comments of my friend the member for Willowdale and I would like to know if what he is really suggesting is the long-standing Tory approach to the province, and that is benign neglect.

The Deputy Speaker: The question is not relevant to the issue.

Mr Harnick: May I respond, Mr Speaker?

The Deputy Speaker: No, you cannot respond on that. Are there any further questions or comments?

in the sense that what we have seen is a number of bills from the Ministry of the Attorney General that are really ad hoc and reactive to circumstances and that indicate the government has no sense of direction as to where it is going with the Ministry of the Attorney General or reform of the court system.

I think he has hit the nail on the head. We look across this chamber and see the Attorney General squirming in his seat; he knows exactly what we are talking about. He knows he has no agenda that has been put through his cabinet, and that he has been dealing on a totally ad hoc basis with his ministry.

The Deputy Speaker: The member for Willowdale, you have two minutes.

Hon Mr Wildman: Two minutes to respond, not two minutes for the rest of your life.

Mr Harnick: I appreciate that. I just want to respond to the minister responsible for native affairs. There are so many ministers here and they are providing me with so much help this afternoon, and I appreciate that.

The minister responsible for native affairs stated that the old Tory approach was benign neglect. If benign neglect is what worked, the key is benign, and benign means good. It means positive. It means helpful. I hope that the use of the word "benign" by the minister will send a shock wave through the government benches and turn them around so that the efforts they take in future will be benign efforts, as this piece of legislation is.

Hon Mr Hampton: The member for Ottawa West raised a number of questions which I would like to respond to briefly. He asked why the legislation in question does not deal, for example, with law firms in the private sector or corporations that might be interested in indulging themselves in this type of exchange. Frankly, we have had no requests from either large law firms or from private sector corporations. If they were to come forward with requests, we would certainly look at them with some interest and we would be prepared to sit down with them and discuss how this legislation might be expanded or altered to suit their needs as well.

I want to point out to the member for Ottawa West that all this legislation gives us is the capacity to request the Law Society of Upper Canada to admit someone. The Law Society of Upper Canada in fact could say no in a given situation. So in terms of this creating some very special situation for government lawyers, the situation is not all that incredibly special, since the law society will continue to have its authority with respect to who may or may not practise.

The member for Ottawa West made some rather disparaging and, I think, unfortunate remarks about the fact that this type of legislation might be used for some type of political patronage, recruiting, for example, lawyers who worked in a province that was formerly governed by the New Democratic Party or is now governed by the New Democratic Party. The member should know that the New Democratic Party just won elections in Saskatchewan and British Columbia, and all of the so-called NDP lawyers across the country, if they are scrambling to go anywhere,

will go there since, no doubt, there will be some job openings. I wish he would keep current history in his mind when he makes these remarks.

1550

Finally, I want to point out that with the permission of the Law Society of Upper Canada, someone who comes to Ontario to work within the government on an exchange basis is only granted temporary status. In other words, it is not permanent status or permanent authority to practise; it is only temporary. The law society will specify, when it gives that permission, the time limits during which someone may practise and the scope of his practice.

I regret that the member for Ottawa West made those comments. They are the only unhelpful comments he has made today and I am really sorry he made them.

Both the member for Willowdale and the member for Ottawa West say, "What has the Ministry of the Attorney General been doing over the last year?" I want to recite for them some brief history. Eighteen days after we became the government we discovered that the former government in this province had not been looking after the administration of justice very well, especially in our criminal courts. We found by way of a decision of the Supreme Court of Canada that the criminal courts in the province were in such terrible shape that we had to make a number of sacrifices and a number of changes to deal with the legacy that was left us.

I want to say to the member for Willowdale that I remember quite well that he was sitting in committee on the family support plan. He was so busy there and so interested in that legislation that he actually asked me to consider some of his amendments. So I do not think it is altogether true for the member for Willowdale to say he has had nothing to do in the last little while. As I remember it, he has been very busy. He has taken great interest in the legislation we have brought forward, such as the family support plan. In fact, he has gone out there and lobbied against parts of it.

I say that just to answer and respond to the very helpful remarks made by my two colleagues in the opposition.

Motion agreed to.

La motion est adoptée.

Bill ordered for committee of the whole House.

Le projet de loi est déposé au comité plénier de la Chambre.

ARBITRATION ACT, 1991

LOI DE 1991 SUR L'ARBITRAGE

Mr Hampton moved second reading of Bill 42, An Act to revise the Arbitrations Act.

M. Hampton propose la deuxième lecture du projet de loi 42, Loi portant révision de la Loi sur l'arbitrage.

Hon Mr Hampton: Members will recall that this statute overhauls the law relating to commercial and other arbitration in Ontario, with two exceptions. First, it does not apply to labour arbitrations in any context, as they are governed by their own statutes. Second, it does not apply to international commercial arbitration, which also has its own statute.

Bill 42 grew out of a lengthy and thorough process of consultation in Ontario, Alberta and across the country through the Uniform Law Conference of Canada. This bill is essentially the same as the Uniform Arbitration Act adopted by the Uniform Law Conference in 1990.

The purpose of the Arbitration Act, 1991, is to provide a framework for the private settlement of disputes that will be as clear as possible for those who use it, while preserving the fairness of the process. The ability of an unwilling party to delay or derail an arbitration has been reduced to a minimum. The parties are generally free to set their own rules for arbitrations—that is, to override the act—so they have a great deal of flexibility. However, the law and the courts will ensure that the parties stick to their agreement to arbitrate, do not proceed unfairly, and abide by the result when it is given.

We believe Bill 42 will make it easier for people to use arbitration to resolve their disputes and thus make arbitration more attractive than litigation in many cases. This must help both the spirit of the relationships that have given rise to the disputes and the speed and cost at which a resolution is reached.

Bill 42 is supported by the Arbitration and Mediation Institute of Ontario and by the Canadian Bar Association—Ontario. I therefore ask the House to support the amendments I will be introducing in committee of the whole and to join me in enacting this very useful legislation.

Mr Chiarelli: This is a good bill. It is long overdue and it is supported by just about anyone who is familiar with the legal system in any sense or with the process of arbitration.

The bill was formulated by the previous government, by the previous Attorney General, the member for St George-St David, and he is to be complimented for preparing an excellent bill. I want to compliment the Attorney General for proceeding with it, although, as has been indicated by the Conservative critic the member for Willowdale, it is hard to understand why the Attorney General has not used a bit more dispatch and speed in coming forward with this bill.

I want to spend a few minutes talking about the issue of arbitration in the context of alternative dispute resolution, because I think it is important for the members of this Legislature and the people of Ontario to understand that arbitration is only one small dimension of a whole developing area of alternative dispute resolution. I want to define alternative dispute resolution as it was defined by the standing committee on administration of justice of this Legislature when it presented a report to this House in June 1990.

The report says: "What is ADR? Very simply, alternative dispute resolution refers to the 'myriad of non-judicial processes for resolving conflicts.' These non-judicial processes may include negotiation, mediation, arbitration, conciliation, private judging, neutral expert fact-finding, mini-trial, summary jury trial and moderated settlement conferences."

The point I am making is that the Attorney General has still not moved at all on the recommendations of the standing committee on administration of justice which presented this report last June. The recommendations of

the justice committee go way beyond the issue of arbitration. Once again what the Attorney General has done is take a bill that was on the shelf and bring it forward in an overdue manner without putting it in any context.

I mentioned earlier in my comments on the previous two bills that there is no general agenda, there is no context for where we are going in Ontario with the administration of justice. Just dealing with the Arbitration Act underlines that particular point.

As I indicated, the whole area of ADR deals with a range of issues, including mediation, non-judicial processes of various types, conciliation, private judging, etc. I want to take some time to put the Arbitration Act in the context of what was recommended to this Legislature last June. I also want to point out how this item came to be before the justice committee in late 1989 and into 1990.

Under the new rules which were adopted in 1989, I believe standing order 123, it is possible for subcommittees of the standing committees of this Legislature to place items to be dealt with on the agenda of a committee, and so many hours will be allocated to deal with a number of issues.

1600

The standing committee on administration of justice in the last Parliament had such a subcommittee meeting and in a totally non-partisan manner decided it wanted to do a review of alternative dispute resolution techniques, including the question of arbitration. The members of that committee—the Conservatives, Liberals and NDP—thought this was an issue that needed attention by the Ministry of the Attorney General and by the whole judicial process.

We had a process that I was very proud of and I think members of all parties were very proud of. Using the new rules of this House in a very non-partisan way, we looked at a very significant dimension and a very significant element of the administration of justice in Ontario and were able to come up with a very major report which, I am told by the current chairman of the standing committee on administration of justice, is still in very large demand. There are many people across the province who are still asking for papers that were presented before the committee dealing with this question of alternative dispute resolution.

Just to indicate what types of witnesses came before that committee, I want to go back to one of the appendices in the report from last June and indicate to the House some of the renowned members of the legal fraternity in Canada who came before our committee to talk about alternative dispute resolution and to urge this government and the then Ministry of the Attorney General to move forward with significant initiatives in the area of ADR.

Some of the people who came before our committee, who volunteered to come before our committee when they were asked to, included Dr Gary Austin, co-ordinator of the London Custody and Access Project and psychologist with the London Family Court Clinic. He teaches in the department of psychology, University of Western Ontario, has published widely and was a member of the Attorney General's advisory committee on family mediation. Mr Robert A. Blair, QC, is chair of the Canadian Bar Association—Ontario subcommittee on alternative dispute resolution, a partner in Stockwood, Blair, Spies and Ashby

of Toronto and founder of the Private Court, a service providing experienced counsel as adjudicators in largely commercial disputes.

I will not indicate all the witnesses who came. I want to highlight some of those who I think may be more well known across the country, not only in Ontario.

Paul Emond, a professor at Osgoode Hall law school, wrote very extensively and recently edited *Commercial Dispute Resolution* (Canada Law Book, 1989). He is an expert in commercial and environmental resource development and public and native dispute resolution, and is editor of *Canadian Environmental Mediation Newsletter*, published by Conflict Management Resources, a joint enterprise of York University's environmental studies faculty and Osgoode Hall law school.

Other well-known people who came before the committee to recommend major initiatives in ADR included Brian Gardiner, from Canadian Dispute Resolution Corp; Gordon Henderson, QC and Order of Canada, who is a senior partner at Gowling, Strathy and Henderson of Ottawa. Among his many other affiliations he is chairman of the Board of governors, Foundation of the Arbitrators' Institute of Canada, and a member of the Canadian Institute for Conflict Resolution. I might add that Mr Henderson, who is closely connected with the issue of arbitration and welcomes this new Arbitration Act, also was very high on other forms of alternative dispute resolution and presented a very well thought out brief before our committee.

Other people were Shin Imai, who was counsel with the court reform task force from the Ministry of the Attorney General; Roberta Jamieson, who was Ontario's Ombudsman; Harry LaForme, who was a commissioner of the Indian Commission of Ontario, and Jack R. Miller, who came from a major law firm in Montreal to make submissions to our committee and had much to say about moving into the whole area of alternative dispute resolution. Another person who came before our committee and who is known to many members of this Legislature is Dean Leachey, co-ordinator of Network: Interaction for Conflict Resolution, Kitchener, a clearinghouse for dispute resolution programs across Canada.

Many others came who are very experienced in this major initiative of law reform across Canada, people such as Ernest Tannis of the Canadian Institute for Conflict Resolution, one of the most significant experts in Canada and North America, and Bonita J. Thompson, a partner from a major law firm in British Columbia who chaired the Canadian Bar Association task force on alternative dispute resolution.

We had, in a non-partisan way, the best legal minds in the country coming before the standing committee on administration of justice to make major recommendations on alternative dispute resolution, so it is with some disappointment that I see the Attorney General bringing forward the arbitrations bill in what amounts to a vacuum. The Attorney General did not indicate any major thrust, any new direction for alternative dispute resolution techniques or initiatives for Ontario. He picked up a bill that existed from the previous administration which had been introduced by the then Attorney General and simply brought it forward.

I have seen no action whatsoever from the Ministry of the Attorney General that indicates it intends to do anything with the recommendations of the standing committee on administration of justice dealing with alternative dispute resolution. There is one particular recommendation of a number that were made that I want to refer to, because it sort of sets a framework for legislating for governments. As I said, this recommendation was made before the last election and in a non-partisan context. It was intended for whatever government happened to be there at a particular time, whether it be an NDP government, a Liberal government or a Conservative government.

I will quote verbatim recommendation 3 of the standing committee on the administration of justice report because I think it is important. It will put in context one of the key initiatives with respect to ADR:

"The committee recommends that the government review present and future legislation and that it build in ADR procedures where they would lead to a less costly and more expeditious resolution of disputes that could arise under the statute. The committee further recommends that ADR techniques be put at the disposal of agencies, boards and commissions in the ways proposed by the Macaulay report."

That is a very significant recommendation. It is a recommendation that was adopted and implemented when the previous government enacted the Ontario motorist protection plan. As members know, what that legislation did was to create a very significant alternative dispute resolution process of mediation and arbitration with respect to disputes in the area of motor vehicle accidents.

All the reports coming from the insurance commission indicate that this process is working tremendously well. There are no complaints. People who have used the system are happy with the system. It is an example of what this committee's recommendation is intended to do to take disputes out of the contradictory dispute arena and put them in an arena where there is mediation and discussion and arbitration if necessary.

We have an example of the government of the day not following this recommendation when we look at Bill 115, the Retail Business Establishments Statute Law Amendment Act, and how it deals with resulting disputes. Rather than following the advice of the justice committee and the advice of all parties of the day, the Solicitor General has basically, *carte blanche*, provided widespread appeals to Sunday shopping bylaws to the Ontario Municipal Board, which we know is backlogged 12 or 13 months. There will be hundreds and hundreds of appeals going to the Ontario Municipal Board, which can hardly handle them.

When we look at the context of the legislation this government brings forward, there is no context. This arbitration bill is being brought forward in a vacuum. The Sunday shopping amendments for appeals to the Ontario Municipal Board are being brought forward in a vacuum.

1610

I just want to refer to a transcript of John Kruger, chairman of the Ontario Municipal Board, before the standing committee on government agencies. In January of this year, only a few months ago, he talked about alternative

dispute resolution and basically said: "The workload on the board is enormous, and we have to find better ways of handling this internally and administratively. We have to look at things like alternative dispute resolution. We have to look at things like mediation and all of these methods rather than just put on more members. That's what we are going to have to attempt to do."

In conclusion, I want to say that the arbitration legislation which is being presented here today is a good bill, but again, it is presented on an ad hoc basis and it is presented in a vacuum. This government has demonstrated on a number of pieces of legislation—such as the arbitration bill, the amendments to Bill 115, appeals to the Ontario Municipal Board—that it really does not have a philosophy of managing disputes in Ontario. Not only does it not have a philosophy, but it is not listening to the best legal advice that was assembled by the justice committee over a period of 8 or 10 months to deal with alternative dispute resolution.

I would really encourage the Attorney General to look at the whole area of alternative dispute resolution in a major, significant way so that we can bring the system of justice and the system of resolving disputes in Ontario into the 1990s and into the next century.

There is no indication that the Attorney General or the Ministry of the Attorney General has any intention of following the excellent recommendations of this report from the justice committee. I certainly urge him to consider doing so.

Mr Harnick: At the outset, I would like to say I will be joining with the Attorney General in supporting this bill. I also believe it is necessary to give credit to the former Attorney General, who was in office at the time the bill was drafted.

As I indicated with the previous two bills I have had the opportunity to talk about this afternoon, I note this bill was delivered for first reading on March 27, 1991, so we have got to this relatively quickly for second reading. It is now eight months away. I can appreciate that the wheels of justice move slowly, and it is true that the wheels of justice in the courts move slowly. They get their cue from the way the wheels of justice move within the Attorney General's department, where these ideas are born.

At any rate, I believe I have some positive things to say about this bill. The effect of the bill will be that it will take private disputes, civil actions, out of the court system. I think that will offer litigants a faster and less costly solution to their problems, it will free up the courts to do the work the courts must do and it will give the courts the opportunity to engage in matters that are not conducive to arbitration.

One of the very great difficulties—and I come at this from a practising lawyer's point of view—is that lawyers are unfamiliar with arbitration procedures and are reluctant to try these systems because they do not know how the systems are going to work; they do not know what they are going to lead to. I think this bill in essence provides a bit of a framework so that lawyers can engage in an arbitration process and not worry about being caught and not being able to do a job for their clients and about being

really confused by the procedural wrangles that they perceive this kind of system may have.

I think the bill is important in that it establishes a framework within which arbitration can take place. I hope that lawyers can feel comfortable about this system, because if they do, it will be of great benefit to civil litigants and to the courts.

The one caveat that I see—and I see it in the amendments that the Attorney General has been kind enough to provide me with and that I believe we will be discussing in committee of the whole—is some concern about the idea of the arbitrator becoming a mediator, a conciliator or some similar type of individual within the arbitration procedure. What the act essentially says is that someone who engages in mediation or conciliation cannot also engage in the process as the arbitrator.

I can understand the Attorney General's logic for wanting that, but at the same time I think that to be too hard and too fast in this particular area is to really take away from the arbitration procedure the flexibility that it might need to operate in a successful manner. I do not know—and I merely point this out to the Attorney General, who is here and is listening—where the fine line is that permits the flexibility but does not destroy the process because someone has changed hats in midstream. I just do not know where that fine line is. I think it will be incumbent upon the Attorney General, whatever route he takes, to watch the procedure and to see how it works, because I am sure that once this act is passed and becomes implemented and people are using it, there are going to have to be some adjustments, some fine-tuning.

I hope the Attorney General does not merely pass this act and ignore it afterwards, because I think this area dealing with the changing of hats in midstream, if it might facilitate a settlement, does not really destroy the process if you have to return to the arbitration. I think that if somebody starts on a process of arbitration and sees there is room to mediate and attempts to do that within the process and then finds that a settlement is not possible, it may be impossible for the person to go back to being an arbitrator, to carry on with the arbitration. If that is the case, it may prove to be an impediment for the arbitrator, who may see a golden opportunity to settle a dispute by becoming a mediator in midprocess.

I do not know the answer and, with respect, I do not think the Attorney General knows the answer to that particular problem, but I do think it is incumbent upon the Attorney General to be vigilant once this act is passed, because it may well need fine-tuning in this particular area. I hope he will continue to be vigilant.

As I have indicated, my party will be supporting this piece of legislation. I think it is a good piece of legislation. It will help litigants, it will help the court process, and I think it certainly deserves our attention. I will be supporting this piece of legislation.

Mr Sterling: I just wanted to use this opportunity to ask the Attorney General a couple of questions, and maybe he can respond in the question-and-comment portion of the proceedings. First, I believe this law was developed in accordance with a uniform code which was

erged by various justice officials across the country. If that is the case, I would like to know if there is any divergence in this legislation from that uniform code. Second, when was that uniform code struck? Third, perhaps we could learn some information about whether other provinces have adopted this kind of legislation.

20

The Deputy Speaker: Order. The questions should be asked to the member for Willowdale and not to the Attorney General. The statement was made by the member for Willowdale.

Mr Sterling: Yes, I realize that.

The Deputy Speaker: Thank you. Are there any further questions or comments?

Mr Jackson: I just briefly want to put a few comments on the record about these long-awaited changes to the Arbitrations Act. I know that certainly the Arbitrators' Institute of Canada (Ontario) Inc and its president, Hal Wilkinson, have been working with three different governments over an almost 10-year period to ensure that this act becomes a reality. Although I will be supporting these amendments and this act, I do feel it is appropriate that I put some concerns on the record, as have the member for Willowdale and the member for Ottawa West.

I had the privilege in the previous Parliament, with the member for Ottawa West, to sit on the committee that dealt with the whole philosophy of the change in alternative dispute resolution models and amendments to the Arbitrations Act. Frankly, I came away with a feeling that if Ontario really wished to improve its relations in disputes that can be avoided in a court setting, that certainly this bill has not achieved much of those lofty goals that all three political parties aspired to almost a year and a half ago.

In particular, I am concerned that there are implications of these amendments which will touch upon matters involving domestic disputes where we have legislation—rather offensive legislation—dealing with joint custody, mandatory mediation and arbitration, yet we see now in this bill certain matters that are in dispute in a family situation, in a marital breakup, where matters of real estate, property and other assets can be arbitrated. The concern obviously is that in contemporary society women are unfortunately very much put in a bad situation, an unequal situation, in these discussions. When the state, this government, formalizes the process, there are going to be some obviously negative repercussions.

In particular, it is well known that the practice of trading off the custody of the children for a better position in assets is something which occurs rather routinely. I see no evidence that this situation is being addressed or that the potential for the abuse that is occurring in our current arbitration processes, whether before the courts or in these informal processes, will be improved.

I am concerned that we have lacked the will, or this government at least has lacked the will, to proceed to seek out other forms of alternative dispute resolution to improve the situation for our citizens in other areas. We know that the minister and I have locked horns and disagree on the need for a victims' bill of rights, but clearly there are

victims' matters in this province that should be subject to arbitration rather than forcing victims to go to civil court, where they do not succeed very well under the current set of laws that they face when they enter a courtroom.

I would simply suggest as well that with the current violence in our schools, we are not looking at dispute resolution models in that context, teaching students more responsible behaviour in our schools and in our community settings. Matters of community-based arbitration and mediation are being done routinely in jurisdictions in the United States and in some progressive jurisdictions in Canada, but we are seeing no support, no encouragement from this government to expand the concept and the access to alternative dispute resolution models. In that sense, this bill is very limiting in its scope, although its reforms are cast from a period of five to seven years ago when most of these concerns were first identified.

My colleague the member for Willowdale raised the issue of the narrowing and the lack of flexibility in moving from mediation to arbitration. I want only to remind the minister that this is routinely done and is permissible in certain labour situations in this province, both under the labour act and the teachers' bargaining act, the only two pieces of labour legislation for bargaining.

I personally have participated in this process at both the Education Relations Commission and the Ontario Labour Relations Board, and I have a lot of confidence in the pool of talent in this province to be able to move from mediation and arbitration with the consent of all parties. I certainly would not wish to support a bill that had those inhibiting factors in it. Rather we should be looking at the experts in this province and trusting them to look at a more flexible model.

Having said all that, I will be supporting the bill. I wish to thank, as I have on the record, Mr Harold Wilkinson for his many years of work in talking to three different governments on reforms, and Mr Ernie Tannis from Ottawa, who enlightened our committee with respect to alternative dispute resolution models and a variety of opportunities for Ontario citizens. I had only hoped this legislation would have gone farther in a more progressive way.

Mr Chiarelli: I do want to endorse the previous comments and just bring to the Attorney General's attention, and perhaps for the benefit of the member, the actual recommendation that was in the ADR report of the standing committee on administration of justice. It indicated in recommendation 7:

"The committee also recommends that research be done...to investigate concerns expressed about the process, particularly those involving power imbalance, domestic violence, mediator bias and its ability to ensure that the best interests of the child are met. The committee further recommends that funding be provided to establish new and support existing court-affiliated mediation services to further research on mediation and family law."

To the extent that the arbitration legislation being passed today deals in any way with family law issues, I really fully endorse the comments that were made, and also bring to the Attorney General the recommendations of

the justice committee with respect to family violence and mediation issues.

The Deputy Speaker: Are there any further questions or comments? The member for Burlington South, you have two minutes to reply to the statements made by the member for Ottawa West.

Mr Jackson: Far be it from me to turn down an opportunity to thank the member for his kind compliment, but I must underscore the fact that it was the legislation of the previous government that put children into a position of allowing them to be in a forced mediation and a forced arbitration situation. The concerns he has alluded to with respect to the vulnerability of children in domestic violence cases are ones that we raised, and we are not completely satisfied the current laws in Ontario adequately protect them.

I wish to reiterate that our school systems could benefit immensely from alternative dispute resolution models. This is where our future arbitrators will come from in this province. This is where we will be teaching the life skills to our students so that when they have marital problems and family disputes and community-based problems, they will have the skills to deal with those in a very lockstep way, how to deal with and mediate through their own problems. We do not teach this, and on this the labour community agrees and the business community agrees: We build better students, better citizens if we teach alternative dispute resolution models to our young people. That is really what my appeal is today. I had hoped that kind of vision was shared by the government and that we can see some progress in this area very soon.

1630

Hon Mr Hampton: I have listened to the comments of the members of the opposition with some interest. I want to respond to some of the specific issues raised.

The member for Carleton wanted to know if the bill is modelled on the uniform code, and I can tell him that, yes, it is, and that it dates from 1990. I can also indicate that the bill we have presented does not differ in any substantive way from the uniform code.

The member for Burlington South made a number of comments and while I cannot respond to all of them at this time, I simply want to make him aware of the fact that the government does have an alternative dispute resolution fund, which is available for pilot projects and is available to fund and assist with various alternative dispute resolution mechanisms, including peer mediation in the schools. I want him to be aware of that, because that is something that happens in this province and that is assisted.

Some comments were directed to the issue of mediation and arbitration. I simply want to say that the bill as it stands now does not prohibit the movement from arbitration to mediation; it simply provides a caution for the arbitrator that the arbitrator does not put himself or herself in a position whereby his or her decision can be overturned on judicial review.

I also want to point out again to members opposite that the bill is flexible enough that it essentially allows parties to an arbitration to write their own rules. In other words, it

sets out a code, but it is flexible enough that if the parties to the arbitration want to set their own rules, it provides a framework within which they can do that. It is very flexible legislation and it is not hard and fast in any sense of the word.

To the member for Ottawa West, I appreciate his comments and I can indicate to him that I hope he will be very supportive when we have the opportunity, hopefully soon to bring forward some other legislation dealing with alternative dispute resolution mechanisms and dealing with some of the initiatives he mentioned he would like to see.

Motion agreed to.

La motion est adoptée.

Bill ordered for committee of the whole House.

Le projet de loi est déféré au comité plénier de la Chambre.

LAW SOCIETY AMENDMENT ACT (TEMPORARY MEMBERS), 1991

LOI DE 1991

MODIFIANT LA LOI SUR LA SOCIÉTÉ DU BARREAU (MEMBRES PROVISOIRES)

Hon Mr Hampton: There is another matter I would like to raise at this time and it has to do with a bill we dealt with previously, Bill 75, the Law Society Amendment Act (Temporary Measures). We had indicated at the time that it should go to committee of the whole. I have spoken with both opposition critics and my understanding is that they are in agreement if it goes to third reading, so I would ask for unanimous consent that Bill 75 be scheduled for third reading rather than for committee of the whole.

The Deputy Speaker: Is there unanimous consent?

Agreed to.

Bill ordered for third reading.

Le projet de loi devra passer à l'étape de troisième lecture.

ONTARIO MEDICAL ASSOCIATION DUES ACT, 1991

LOI DE 1991 SUR LES COTISATIONS DE L'ONTARIO MEDICAL ASSOCIATION

Ms Lankin moved second reading of Bill 135, An Act to provide for the Payment of Physicians' Dues and Other Amounts to the Ontario Medical Association.

M^{me} Lankin propose la deuxième lecture du projet de loi 135, Loi prévoyant le paiement des cotisations des médecins et d'autres montants à l'Ontario Medical Association.

Hon Ms Lankin: I am pleased to introduce for second reading the Ontario Medical Association Dues Act, 1991. Bill 135 was given first reading on June 26, 1991, and the proposed legislation flows directly from the agreement signed with the Ontario Medical Association earlier this year. Members will recall that the agreement requires the OMA to take on a new series of responsibilities in helping to manage Ontario's medical care system and to participate in keeping physicians' services costs under control.

The government of Ontario and the OMA have formed a joint management committee to help identify areas of our physicians' services system that can be improved and we will then work to implement those improvements. I have

confidence that the results of the committee's work will help maintain the principles of medicare, including universality and accessibility, and that it will ensure effective management of physicians' service expenditures across the province.

In recognizing the OMA's status as a partner in the management of the physicians' services system, the government agreed to develop a method for collecting membership dues or their equivalent from physicians practising medicine or involved in medical research in Ontario. If adopted by this House, Bill 135 would create a straightforward mechanism for ensuring that dues or their equivalents are paid.

This legislation represents another important part of our collaborative relationship with the physicians of Ontario. The government is committed to a comprehensive reform and effective fiscal management of our physicians' services system. I hope members of the House will see fit to move immediately to third reading of Bill 135.

Mrs Sullivan: Bill 135 is really part of the outcome of the six-year agreement that was signed by the New Democratic government with the doctors last May. In that agreement, the government made some quite extraordinary economic arrangements with one sector of health care delivery, the doctors. Right now, about \$5 billion of the provincial health budget is spent to pay for physicians' services. As a result of the agreement, there will be an additional \$250 million in total fees, \$140 million in retroactive payments and \$84 million in additional funds to cover malpractice insurance retroactively. The total cost of that agreement in this fiscal year is about \$474 million or \$475 million.

More than that, the agreement did two other things: It provided for binding arbitration and it gave the doctors union status through the Ontario Medical Association.

I think that in giving union powers to the OMA, what we see is a very unique relationship in determining the future of the health care system. In fact we are seeing a new hierarchy where the doctors have a place that is different and perhaps superior. In terms of agreements that have been made and announced to date, it is certainly superior to that of hospitals, to that of nurses, and indeed it may turn out to be a veto right by doctors on future necessary health care planning decisions.

As a result of that agreement we also see binding arbitration entering into the health care field. I would like to speak a little bit to that later on. No other group in health care enjoys that, and indeed what we may find is that there can be a stripping of funding as a result of that agreement that is quite serious in terms of long-term options and actions.

1640

The basis of this Bill 135 really goes back to 1945, and I think many members will be familiar with the dispute at Ford Motor Co in Windsor in a strike called by the United Auto Workers. The strike ended the following December when what was then the Dominion of Canada and the province of Ontario joined together and guaranteed arbitration by a Supreme Court judge.

Mr Justice Rand was named arbitrator and his award was rendered in 1946. That decision has had a significant impact on labour-management relations since that day and is considered one of the bases of modern labour legislation. His award denied the union shop to Ford workers at the time but provided for a new form of union security. In many ways that is what we are talking about in Bill 135, union security.

The checkoff of union dues from the wages of all members under the agreement, whether they were union members or not, was a significant part of Mr Justice Rand's decision. In his decision, he spoke to the increase in power that came to the union as a result of his decision. He indicated that, first of all, there would be a tendency to increase membership for the union and also a promotion of wider control within the union relating to issues that would be discussed.

I would like to read a couple of things that Mr Justice Rand had to say in his award, because I think they are important. He said:

"It is, in my opinion, essential to the larger concern of the industry that there be mass treatment in the relation of employees to that organization that is necessary to the primary protection of their interests. I consider it entirely equitable then that all employees should be required to shoulder their portion of the burden of expense for administering the law of their employment, the union contract; that they must take the burden along with the benefit."

He also noted:

"It may be argued that it is unjust to compel non-members of a union to contribute to funds over the expenditure of which they have no direct voice; and even that it is dangerous to place such money power in the control of an unregulated union. But the dues are only those which members are satisfied to pay for substantially the same benefits, and as any employee can join the union and still retain his independence in employment, I see no serious objection in this circumstance."

When Mr Justice Rand was rendering that decision, he was speaking very much about a labour issue rather than a health care issue. I think there are some differences, because he also noted in his decision—and I would like to read this quote from his decision because I think it is significant. He was talking specifically about the employees at Ford at the time in 1945, members will recall. He said about them:

"The employees are co-ordinated with mechanical functions which in large measure require only semiskilled operators. No long apprenticeship is necessary to acquire those skills; some operations can be taken on at once, and there is a general rise in complexity. But it is essentially the utilization of concentrated manpower in a framework of machines in which the initiative and artistry of the individual is either non-existent or becomes stereotyped."

As we think about that, we should think about the position of doctors in our society today and as their profession has evolved. They are professionally trained. They are a self-regulating profession. They are delivering a professional health care service. They are not semiskilled labourers as were the labourers who contributed to the

significant decision that Mr Justice Rand made. They are highly skilled, highly trained professionals, and the expectation is that their primary work will be as advocates for their patients, delivering the professional skills in which they have been trained.

I am the first to say that Mr Justice Rand's decision was a singularly important one in all of our labour negotiations. I am saying that he was not addressing the specific needs and requirements of professionals in the health care field in a professional self-regulating body.

One of the things that concerns me, therefore, because of the expectation that physicians will be primarily advocates for their patients, is that the bill brings with it the sense that the doctor's advocacy has shifted from the patient to self-interest. That is of grave concern and it is something that is being brought to my attention by doctors as well as by patients.

The Ontario Medical Association then of course becomes the advocate for the self-interest of physicians. I think that worry is something that is not to be taken lightly; it is something that people are very concerned about. The minister may laugh, but frankly it has come to my attention on more than one occasion.

Hon Ms Lankin: Excuse me. Qualify which minister.

Mrs Sullivan: The other minister. The one who is giggling. The Minister of Natural Resources was giggling, not the Minister of Health. The Minister of Health understands the concerns I am raising.

The purpose of Bill 135 is of course to bring the Rand formula into the payment of dues and fees for all physicians who practise medicine in Ontario and who do health research. Those who are members and those who are not members of the OMA must now comply with the legislation, and if they do not, there is provision that their fees can be treated as a debt which is collected through the courts. With Bill 135 the Ontario Medical Association becomes the doctors' union. The OMA has gained the right to be a trade union, and all doctors, even those who might aspire or who have aspired in the past to be Deputy Minister of Health, must now pay union dues.

I was quite interested to learn recently that this bill will affect not only doctors in doctors' offices who have in the past been represented by the OMA, but those doctors who are compensated on a different basis: those doctors in health service organizations, in comprehensive health organizations, in academic settings where they may be paid by contract, doctors who are on salary, doctors at the Workers' Compensation Board and doctors who may be employed by an insurance company in a private sector environment. They all have a new union and that union is the OMA.

One of the things that I found interesting is that discussions relating to the implementation and bringing them into this union arrangement are only beginning now. Meetings are only now under way, for example, with the OMA and doctors who are employed at the Workers' Compensation Board. There may be substantive and substantial issues that have to be ironed out in those circumstances.

As you know, Mr Speaker, the introduction of the agreement met with some considerable controversy at the time, although it was certainly welcomed in some quarters, particularly by the OMA and by the Minister of Health at the time. One of the things I would like to raise relates to some of the press attention that was provided at the time of the agreement.

The Globe and Mail, on May 23, suggested that the OMA, which was supposed to be on the side of the patients, "voted to accept an agreement that makes the doctors comrades in arms in the great socialist enterprise of managing and controlling, right down to the simplest pinprick, every aspect of the medical needs of nine million people."

The Globe and Mail also said, "The OMA has stripped individual doctors of control over their earnings, their right to secret ballots, their rights of free association and ultimately their ability to determine how they practise medicine."

Ten days earlier the Globe and Mail had said, "While the government says that fiscal management is at the heart of the deal with the doctors, taxpayers remain to be convinced."

Additionally, there were comments from some doctors reported in the Globe and Mail, where they said, "Instead of continuing the fight against a system that nationalizes the means of production of health care, the OMA joined the power grab. The OMA executive has assumed powers that no trade union executive should enjoy and effectively turned the association into a trade union—the Ontario medical workers' union—in which members do not have union membership rights."

I understand about 2,000 to 2,500—the Minister of Health may be able to provide further information on that—doctors who are not fee-for-service doctors are affected by this legislation directly. But all doctors in the province are in fact affected by the new powers that have been given to the OMA under the agreement. All health care deliverers have been affected by that agreement through which the OMA supersedes other health professions in the hierarchy, because the agreement changes the way the system works now, and the way the system will work in the future.

1650

A substantive part of that agreement is binding arbitration affecting a \$5-billion budget through which the Treasurer has no control—if indeed the union camp comes to terms with the government—and therefore the taxpayer has no control. That means someone from outside the government, from outside the system, can make a decision that will have a significant effect on the development of health services, the prioritization of health services and the cost of health services. But more important than that the arbitrator, if the government and the union cannot come to terms, does not have to take into account other issues outside the health care field or how the government will prioritize those issues.

Money can be sapped from environmental issues, from education, child care and other services that are high on the priority list of the government of the day. That is a singularly difficult and controversial part of the legislation,

and one that I think was irresponsible, frankly, when it was negotiated.

We know that today in Ontario we spend more money per capita on physician compensation than any other province and we have more doctors per population than any other province. We are increasing our physician population by about 5% a year. Something like 1,000 to 1,200 new doctors were added last year to the system, and just the inclusion of that number of doctors adds a significant amount to our health care budget, I think about \$450 million if you add 1,000 new doctors per year.

This bill is an integral part of the agreement made with the OMA last May about which there is some concern. In totality the agreement is something that can shift the burden not only of health priorities but of entire governmental priorities and social spending, not only in the short term but in the long period of time.

One of the issues that has also been raised in some fields suggests that in contrast to ordinary labour-management relations—in fact this bill is a labour bill under the guise of a health bill—the government cannot control the total cost of physician services because it will not control the number of doctors or the number of services doctors provide.

“If the government was really acting the part of the employer,” the report to the board of health on the payment of Ontario physicians said in February 1991, “it would raise the payment for services it wanted, and reduce payments for services it felt were provided too frequently. With binding arbitration and the Rand formula, the OMA has gained the rights of a trade union without the government gaining the rights of the employer to set hours and conditions of work.”

That report summarizes my view of the import of the place of this piece of legislation in the context of the entire agreement.

Mr J. Wilson: I am pleased to rise and speak for just a few minutes on Bill 135, An Act to provide for the Payment of Physicians' Dues and Other Amounts to the Ontario Medical Association.

The legislation makes the payment of amounts to the Ontario Medical Association's dues and assessments compulsory for all practising physicians, whether or not they are members of the association. The legislation sets out to implement the Rand formula. I do not have any particular problem with that and I want to say from the beginning that I will support this piece of legislation although I have some concerns that perhaps the minister could respond to. I am sure she will respond; she is a very capable minister. I will tell the government that a number of my colleagues will be speaking later this afternoon and perhaps tomorrow and they have some very serious reservations about this legislation. I think what will be seen in our caucus is some voting for and some opposed.

I will raise some concerns here. The bill was initiated as a result of the agreement between the Ontario Medical Association and the Ontario government signed in May of this year. It still makes it voluntary for physicians to be members of the OMA and that is good. Interns and residents are excluded from the fee checkoff, as it were, and

the OMA may waive payment for specific physicians if it decides collecting the dues would bring financial hardship to a physician. It is hard to imagine a case where a physician might be in financial hardship, but I suppose it does happen and that is why it is in the agreement.

The bill also allows the general manager of OHIP to collect OMA dues from the billings of fee-for-service physicians prior to January 1 each year and will pay the deducted amount to the OMA. Where applicable, other governances that compensate physicians will collect dues for the OMA and the OMA will have the right to use the courts to collect unpaid dues.

I have a question for the minister in that area in the sense that it has been raised by some of my colleagues and members of the public who I had an opportunity to discuss this bill with. It is really setting a precedent in collecting, being the collector of dues for the OMA, and they are collecting at source. Is the government going to be compensated in some way by the OMA for the administrative costs incurred as a result of collecting those dues?

I think that is important for taxpayers because generally my experience with physicians and medical doctors is that they make a good wage and can probably afford to offset that administrative cost for the government. So I ask that question. I do not know what the answer is. Perhaps the minister could let me know.

Going back to the agreement signed in May of this year between the OMA and the government of Ontario, I do not have any particular problem, as I said, with the Rand formula. It recognizes the principle in society that a professional association that represents and negotiates benefits for a particular group should be supported financially by all individuals in that group. As I say, some of my colleagues will speak on that later. They have some real problems with that.

I note that the current full membership dues of the OMA are about \$1,050 a year. I would ask the government not only about the administrative costs associated with collecting dues on behalf of the OMA, but I would really like the reason behind the government agreeing, as part of the wage settlement and setting up the joint management committee, as part of the agreement earlier this year, to be the collecting agency for the OMA. That needs to be clearly stated on the record because I believe it is setting a precedent.

The agreement between the government and the OMA has been sold to the public partly on the basis that it contains a number of cost containment measures, and I am kind of sceptical about some of the cost containment measures in there.

Just to go over what the agreement is, the government and the OMA will share financial responsibility if the volume of OHIP billings goes over a certain amount.

Some of the financial aspects for the next three fiscal years: “The government will pay for all increases in overall system utilization resulting from demographic changes. Example: for increases in population, in the number of older people plus a 1.5% cushion. In the current fiscal year it is expected the government will be solely responsible for utilization increases in the OHIP globe up to approximately 3.5%”—I will put this into English in a minute,

Mr Speaker—"and the government and the OMA will share financial responsibility if the volume of OHIP billing goes over 3.5%."

1700

The ministry has estimated that a 3.95% increase will cost about \$250 million. Doctors were given a 2% retroactive payment of their gross OHIP billings, gross fee for services, from the time they last got a raise, which was 1988 or 1989, I believe, and it was a lump sum. That is going to cost the taxpayers \$140 million.

I do not have much problem with that because doctors had gone quite a while without a fee increase. I wish the government had the same sympathy for MPPs, because we are now going to go quite a while without a fee increase. None the less, some would argue that doctors are somewhat more important in society. I am not one who would necessarily argue that, but the Minister of Health may agree with me that we would not necessarily argue that.

It seems to me that when people go to their doctors, they are generally happy about the level of service and the treatment they receive from their doctors. They are usually very grateful to their medical doctors. But if we talk to the public about physicians' wages, I think the general consensus in my riding of Simcoe West would be that doctors are pretty well paid for what they do.

I happen to believe that society should award excellence; society should pay doctors what they are worth. I guess the debate that members will introduce this afternoon is whether doctors are really worth all this money. As I say, I do not have any real problem with that part of the agreement.

I do have a problem with—and I will ask the minister to explain—why the taxpayers are paying \$84 million this fiscal year and the past two years. The government has agreed to pay the malpractice insurance for doctors and it is going to cost the taxpayers over that time about \$84 million. I ask the ministry and the minister why there is an agreement to pay the malpractice insurance when I think doctors probably could afford to pay their own malpractice insurance. During a depression, \$84 million is a lot of money, especially when you are giving that type of bonus, as it were, to a group in society that is currently well paid, much better paid than most people I know. In fact the richest people I know are doctors and dentists. Even some of the kings of industry do not make what doctors and dentists do.

I also have concerns about binding arbitration, which the previous speaker, the member for Halton Centre, also touched upon. I think binding arbitration in the long run will be extremely expensive for the Ontario taxpayers. Negotiations on an increase in the 1992 OHIP schedule of benefits will be subject to binding arbitration, I understand. In the latter three years of the agreement signed by the government, negotiations on the utilization formula as well as on fee increases in the OHIP schedule of benefits and billing thresholds will be subject to binding arbitration.

My limited experience with binding arbitration in the past is that it tends to be very expensive for taxpayers and the government, but I gather the ministry is budgeting for

this. They have signed the agreement and must know where the money is going to come from.

The agreement signed by the government and the OMA sets up a joint management committee. It has been expressed to me by the Ontario Hospital Association, by nurses and by other health care practitioners, providers and administrators that they very much wish they were part of the joint management committee. I would ask the minister to explain why we now have a joint management committee which has been established under the agreement with only representatives of the Ontario Medical Association and the government.

The joint management committee apparently has the mandate to enhance the quality and effectiveness of medical care, including the pursuit of more value for existing spending. I am really of two minds on the joint management committee. I think it is a good idea if we can finally get the doctors to sit down with the government and come up with some cost savings in the system. No matter how much wishful thinking one may have when in government about how it is going to cut back some parts of the system and reallocate resources and try to make the system more efficient, I know that anything it does is not effective unless the doctors are on side. I gather the joint management committee is to work these things through together. That is a good thing.

I ask the minister, though, has she given thought to the concerns expressed by the Ontario Hospital Association? They very much feared, or did when I last spoke to them a couple of weeks ago, anyway, that the joint management committee will be the government's major committee and major set of advisers—and it just has OMA members—instead of giving advice to the government on the direction that health care will go. The Ontario Hospital Association, of course, would very much like to be a member of the joint management committee, or it wants it clarified that the joint management committee will not be the be-all and end-all of government decision-making for the future. Maybe the minister could make a few more comments about that.

Finally, I want to say one thing about the \$400,000 gross fee-for-service threshold that has been established in the agreement. I am of two minds on that one too. We have had a number of specialists call my office—as Health critic for the Ontario PCs, I get a lot of calls from practitioners weekly—and quite a few specialists tell me in all seriousness that the \$400,000 threshold on gross billings is too low. In a couple of cases I can think of off the top of my head, they reach that threshold at six months and they are closing their offices for the next six months of the year, or threatening to do that anyway. One actually has done it. They are going away or, in one particular case, going to Florida for six months. That particular specialist, who is badly needed in the area he is serving, reaches the threshold fairly early, because other people are on his billing number or a number of reasons he has given, and he finds it really is not worth his while to continue to practise after he has reached the \$400,000 threshold.

I hope the public understand that this is not a \$400,000 salary for the doctor. This is his gross billings to OHIP. I

do not know what his take would be after expenses, but I imagine most specialists make a good buck. Society normally tells us they should. People complain, on the one hand, about doctors' salaries but, on the other hand, most of them are pretty happy after they have been dealt with by a doctor. We certainly know, and the minister would agree, that people want to see a doctor when they want to see a doctor. They do not like to wait six months to see a specialist in particular. We are a little worried about the brain drain to the south and specialists threatening to leave or at least close down their offices.

I have some general practitioners in my family who tell me—and they are going to shoot me when I say this—that \$400,000 is a new threshold they never dreamed of aiming for before, but now it is a new one to aim for. Maybe the minister could comment on that. I have heard it directly from a couple of people I know very well, saying, "Gee, I never thought of billing that much but if I work hard enough, maybe I can get there."

So I am a little dubious about what the saving will be out of this agreement for the taxpayers of Ontario, given that the government has given a pretty good increase to doctors in a retroactive lump sum, that now taxpayers are paying the malpractice insurance retroactively and over the next little while that will be \$84 million, that the joint management committee does not include everyone in the health care system or is not more representative of those people in the health care system. I am dubious but I am willing to give the benefit of the doubt to the government because I like to see the fact that there is an agreement. But they will find that other caucus colleagues certainly do not agree with a number of things I have just spoken about.

I also would take a final parting shot at the OMA. I would suggest to them that they do a little better job of listening to the specialists who are part of their association. I understand that 86% or 87% of the doctors who voted were in favour of the agreement with the government. But there is a very important 13% or 14% who did not agree. It is my understanding that those were mainly specialists, people who are very much needed in the health care system.

In some areas we tend to get shortages from time to time of certain specialists. I would suggest the Ontario Medical Association do a better job of listening to that sort of minority group and its membership, because the comment has often been made that the OMA really just represents general practitioners and is made up of general practitioners, and that this agreement is a sweetheart deal for general practitioners but not necessarily for specialists and other important medical doctors.

With those words I reiterate that I will be supporting the bill, but I think there will be some lively debate later this afternoon and tomorrow with members of caucus who will not be supporting the bill.

1710

Hon Ms Lankin: I have just realized that in fact there is a longer list of speakers today and the member for Renfrew North is intending to speak and I am sure he will be most eloquent, but we are unlikely to finish up today. I

will not be here tomorrow to do a response so I am going to take this opportunity to do a short response as speakers address some of the points.

I want to clarify a couple of things that have been raised by both the member for Halton Centre and the member for Simcoe West when they speak with respect to the overall cost of the package. It is a bit outside of the legislation in front of us today, but it is part of the overall agreement.

I correct the member for Halton Centre, as she indicated that the budget with respect to physicians' services was \$5 billion—

The Acting Speaker (Mr Farnan): Order, please. I would have to advise the minister that this is in response to the member for Simcoe West only.

Hon Ms Lankin: I would indicate that references have been made to the amounts paid out in the agreement, for example, the retroactive amount, the lump sum amount. I think it is important to keep in mind that in fact that 2% and 2% was paid out on a lump sum basis. What that means is that it was not folded into the base increase to the schedule of benefits. In fact, that is a forgone expenditure, in that sense, for us on an ongoing basis. I think it was reasonable and achieved some savings for us above what an agreement that had a retroactive increase to the schedule of benefits would have saved. You can argue whether that is substantial or not. It is something we felt was a worthwhile part of the agreement.

It has been referred to that no other group in the health care system has binding arbitration and that there are potential problems with binding arbitration. I would point out that in fact in hospitals, nurses, nursing assistants and medical laboratory technologists all have binding arbitration. That is a feature of the system.

I guess, bottom line, what has been said with respect to the issue of Rand is that this is creating a union out of the OMA. In fact we are not dealing with a situation of a union; we are not dealing with employees. It is a very different situation, but the principle is that people are receiving service and that they should pay for the service that is provided.

Mr Frankford: As a beneficiary of the OMA, and not always a member and not currently a member, I certainly recognize the validity of making membership compulsory. There are, I believe, 10% of physicians who are not members, and I think it is only fair that this bill will make them contribute for a benefit they are getting.

I would just like to comment briefly on the member for Simcoe West's statement about what he calls malpractice insurance. I think it is probably fair to call it liability insurance because, as the member knows, the premiums go up considerably in riskier specialties like obstetrics and neurosurgery, and I think it is most unfair to say these people are guilty of malpractice. I think it may be liability because these are more risky ventures that they are into.

The member asks why physicians should get this as a benefit, and I think he might acknowledge that with the capping it is perhaps bringing in some equity, that those amounts are paid separate from the capped income. I

assume that in his area, where I am sure there are difficulties getting highly specialized physicians, it probably does help to bring in some of those specialists and perhaps will counteract the brain drain he referred to. I think, in addition, it brings in an element of risk management and avoiding defensive mechanism, that there is a contribution both by the government and by the profession.

Mr J. Wilson: I will just take one minute and thank the minister for her comments. I know she wanted to have more time to answer some of my questions, and perhaps I will try to stay for most of the debate this afternoon, what is left of the day, and hear other comments the minister may have from time to time.

I appreciate the comments of the previous speaker. I know he is a physician and well respected in his community. I will note, though, that I would like a good explanation why we are paying so much money, why the taxpayers are being asked to pay so much money for physicians' malpractice insurance.

I mention it because the previous speaker was trying to respond to it. It seems to me that is a dangerous precedent too. I mean, not only is this bill going to be collecting OMA dues for the OMA; the agreement the government signed with the OMA costs a lot of money to taxpayers, and the particular point there is the malpractice insurance.

I would think that as a practitioner I would be responsible for my own overhead and for my own insurance, and it is one aspect of the agreement I do not like, because I think it was sort of a giveaway to the medical profession to make sure it plays ball in future on the joint management committee.

Certainly that is the suspicion that is out there and that has been expressed to me by a number of sceptical people. Some people are more sceptical than I. In the final analysis, I will be voting for the bill, as I said, but some of my caucus colleagues will be raising some very serious concerns.

Mr Henderson: I want to begin by recalling a line in Robert Frost's poetry to the effect that there is something very fundamental in human nature that does not like fences. The idea is that whatever divides people, stands between people and demarcates territory somehow is offensive to something deep in human nature.

The same can be said of whatever makes belonging to a group a mandatory thing, although in passing I have to say this bill, in lessening the distinction between physician members and physician non-members of their professional association, does do away, I hope, with dividing the province's doctors into two groups.

I can speak with some fervour on this subject of mandatory groups, because many of my colleagues and friends will know I am not by nature an especially groupy kind of person. I become quite nervous about the phenomenon of groupthink.

I think I have a fairly good understanding of much of what is known about human psychology, both the good and the bad of it, and politics, like love and war, is a theatre wherein both the good and the bad come to be seen with good frequency. But there is also a psychology of people in groups, a psychology of large groups, so to speak, and somehow

the balance of the good and the bad always seems to me to be tilted a little towards the latter when it is the behaviour of groups that is in question, as opposed to the behaviour of individuals acting for themselves and on their own behalf with good personal conscience.

I am not by nature a fan of whatever makes group belonging and group support a mandatory thing. This bill makes the payment of OMA dues but not, I believe, OMA membership mandatory for physicians. I feel a kind of stirring of distaste in my gut for such a measure, but I believe that on balance it may be a necessary step and one that in principle at least I would want to think of supporting. I think the government showed some wisdom in acceding to the Ontario Medical Association's long-standing insistence on such a measure.

1720

This point can be argued from many points of view. First of all, there is the Rand formula, which seems to uphold the principle that a group that is actively lobbying in support of individuals by virtue of their role or position in society in turn deserves their support. This principle has been applied to unions and to other representational and negotiating bodies. Perhaps considerations of common sense and symmetry suggest, a priori, that this principle should apply as well to the official body that represents practising physicians in the province.

Certainly that will be to the advantage of physicians and I will say a few words about that, but members should not misunderstand where I am coming from. The worth of Bill 135 is not that it is good for physicians, clearly, but that it may be good for the people of Ontario, for the consumers of health care services. More about that in a moment, but let me just say in passing that I think Bill 135 is good for physicians and will, I suspect, in general, enjoy their support. It is good for physicians because doctors have, as a profession, a way of putting their worst foot forward when it comes to lobbying in a way that reflects their own enlightened self-interest.

Doctors do many things very well. The level of technical sophistication and skill that doctors bring to their science and art is truly remarkable. I say that not from any chauvinistic position, because in speaking of the incredible advances and successes of medical practice in recent decades, I am not thinking so much of psychotherapy and psychiatry. Those are fields that have in general a little catching up to do, in my opinion. But physicians generally practise with enormous knowledge, skill and sheer gut determination and commitment, for which they often receive far too little thanks and recognition.

It is sad that this very dedicated and skilled group in society often seems to sell itself so short when it comes to taking an enlightened and principled position in favour of its own professional need, indeed very often on behalf of what is best not only for the practitioners but also for the recipients of service and care. That leads to demoralization, and demoralized practitioners do not do their best work. It is in the interests of the government, the consumers of health care services—that means just about everybody—and the profession as well that the legitimate interests and needs of physicians be understood and

spected if the profession, the health care system and medicare generally are to thrive in Ontario.

For this pursuit of enlightened self-interest to occur in a way that is of benefit to the consumers, the providers and the government requires that physicians be represented by vigorous, articulate, principled and persuasive associations and representational bodies. For the Ontario Medical Association to satisfy those criteria, it must enjoy the strong fiscal and hopefully moral and experiential support of those for whom it purports to act. It is for that reason that the providers of medical care in Ontario should support this bill.

However, others may want to support it as well. The only main reason for supporting the principles of this bill would devolve from it being good for the people of Ontario, the consumers of health care services. I will argue at that point, taking as my position of departure that demoralized physicians are not doing their best work. Clearly the consumers of health care services would wish for something better than that. A system wherein health care providers feel fairly remunerated, vigorously represented and well supplied and serviced in their offices and facilities would be a good system for the consumers of care. Surely medicare demands no less.

Not all physicians feel these conditions are met right now. Physicians have had little in the way of substantive fee increases for several years, at a time when living costs increased steadily and practice costs increased sometimes logarithmically. I keep reading about physician incomes on the order of several hundreds of thousands of dollars. The member for Simcoe West made reference to that. I do not know where those figures are coming from, because doctors working conscientiously, even in busy practices, are just not making the kind of money that is attributed to them.

It is true that a figure of \$600,000 or \$700,000 may show up beside some doctor's name in OHIP records. However, on closer examination one might find that a group of physicians are doing their billing under the name of the leader of a clinic, that the clinic employs up to two dozen or more staff, that they have hundreds of thousands of dollars worth of sophisticated equipment that is being amortized over several years and that the physicians themselves are earning incomes in the five-digit or low six-digit range. These are not bad incomes perhaps, but not extravagant in an era when some lawyers, accountants and architects are earning several hundreds or up to a \$1,000 or more an hour. Physicians, whose training, experience, expertise and mental stamina must be equal, and upon whom human lives depend, are earning as little as a tenth of that.

I am not crying poverty on behalf of physicians by any means. I am simply questioning the myth that all doctors are earning fat incomes at the taxpayer's expense. The ones I know who practise good medicine—I know quite a lot—are living modest though comfortable lives and struggling to make ends meet the same as most others in society. Beyond that, the growing frequency of lawsuits, expanding networks of bureaucratic regulation, the sometimes undermining of prestige and honour of conscientious doctors and the growing militancy of patient advocacy

groups—the leaders of which sometimes seem to take a rather adversarial position vis-à-vis the providers of health care—augur badly for the morale of Ontario's physicians.

I am not lamenting all of these developments—some of them are called for and even overdue—but they have an effect on the morale of an important group of practitioners in our health care system, and we should worry about that morale because it bears directly on the quality of care that Ontarians receive.

For all these reasons, I believe this bill, in principle, has merit and that we should consider it very carefully. To its credit—I know it is not usual for the government to hear words of approval from this side of the House—the government was able to correct a certain inherent bias and its partisan point of view in this legislation and to recognize that there are times when what is good for a profession is good for the people.

The government seems to have recognized that and recognized that a strong and vigorous representing body, acting firmly and passionately with enlightened self-interest, is at least a partial goal and is in this context a populist ideal and one that this assembly should consider and examine very closely.

I recognize, of course, that the government may have had some partisan reasons as well for wanting to heal its traditional sense of estrangement from the physicians of Ontario. I recognize also that politics, as nature, abhors a vacuum. The relationship between physicians and the previous government was not always as cordial as it might have been, and an opportunity was thus provided for another party to step into what I might call the potential space left open by its predecessors and to look good in so doing. That is in the nature of political life. It happens to all governments, and mark my words, it will happen to this one.

The only further comment on this bill would be to say that of course we would have done it much better and that there is lots of room for further growth, goodwill and collegialship between government and health care practitioners that we will act on when we return to power very soon. For the moment, let us settle for limited gain and say that this bill is in principle worthy of very careful consideration.

Hon Ms Lankin: In response to some of the points the member raised, I would like to thank him for his comments about the balance that is needed to be achieved in looking at issues of compulsory dues payment versus issues of compulsory membership. I think those two things are very different and it is important that they are underlined with respect to this legislation.

This legislation does not compel from anyone membership in the Ontario Medical Association. It does not exclude the opportunity of individual physicians belonging to other professional associations as well, whether those be specialty-related associations or related to areas of work like the field of public health or the university setting and faculty associations. There is not an exclusive relationship in that sense. What it does do is recognize that the OMA has for a number of years played a role with respect to setting the level of compensation for payments for physicians and that this should be rewarded and returned by a payment of dues.

1730

In general terms, the member spoke about the levels of income that are enjoyed and the liabilities that are being faced across the physician sector right now. I think the agreement we put in place, with its thresholds and its utilization clauses, tries to seek a balance on that. With respect to the liability the member raised, the issue of the \$84 million that is being paid for with respect to malpractice insurance, I should indicate that a small portion of that is covered by a percentage of the physicians' fees. It is being deducted at source, where we do the billing and paying out, which is a normal procedure. The remainder of it is paid by the government and has been for a number of years.

In fact, this was a result of a recommendation from a fact-finder's report over five years ago, so this is not something that is just a result of this government looking at this issue. It is an attempt to blend the old with the new in terms of forging a new relationship with the doctors and trying to end the acrimony that has existed in this province between government and the physicians.

Mr Henderson: I have only one brief comment. The minister mentioned the subject of incomes again. I often think of a physician, a very conscientious general practitioner, rather representative of a certain group of general practitioners in a city not far from Toronto, who told me not too many years ago that his net income from his practice in his office—he worked 8:30 to about 6 and he spent time with his patients, the way physicians ought to do who are practising conscientious medicine—was \$18,000 a year.

He made more than that, because of course on weekends and at night he would be covering emergency and his annual net income was up in the low 40s range. But those kinds of figures, which admittedly are on the low side but are representative of a certain group of very conscientious practitioners, never get talked about when we hear these figures of six-digit and multiples of six-digit incomes. Those practitioners need to be thought of as well and need to be remembered when it comes to matters of negotiation and the kinds of things we in government and even in opposition become involved in in our discussions.

Mrs Marland: In rising today to speak to Bill 135, An Act to provide for the Payment of Physicians' Dues and Other Amounts to the Ontario Medical Association, I really have to wonder why we are here, spending unnecessary time on an unnecessary bill. Quite frankly, I think it is irresponsible of this government to say that it has priorities in terms of people in this province, yet bring forward this bill as a priority as a piece of legislation it wants to process in this session of Parliament. With all the problems there are in the province today—people out of work, businesses going bankrupt, people suffering every day because they do not have enough food to eat—what are we doing? We are here in this House today discussing the medical association dues, the fees physicians pay to belong to their medical association.

I think it says a lot about this government's inability to prioritize in terms of human need. It certainly says a lot about its inability to prioritize in terms of what is going on

in this province today. It just confirms that this government is so far out to lunch it does not have a clue what is going on in this province today. They think it is important to push this bill forward instead of other pieces of legislation that were promised to the people of this province in their Agenda for People when they campaigned one year ago.

How ludicrous it is that the government is now saying "We'll make a union out of the Ontario Medical Association, because we'll make sure that their membership fees, their membership dues, are collected."

I know the Minister of Health is going to respond that this is all in an agreement. I have a copy of the agreement. She is going to tell me that this is in the agreement that was reached between the government of Ontario and the Ontario Medical Association on May 22 of this year, and so it is, but what we really should be spending time doing is looking behind this document, this agreement.

I also think it is worth while noting that we now have a new mode of operation with ministers who bring bills into this House. In the past, when a minister brought a bill to this Legislature, that minister would not comment after each speaker in the two-minute portion for questions and comments on the previous speaker's words. The minister would wait until his or her opportunity to speak, which is his or her prerogative as the last speaker before the bill receives the reading. We noticed that in the amendment to the Power Corporation Act the Minister of Energy used the two-minute time slots to rebut and correct the members who were speaking to his bill, and I see this afternoon that this minister is also jumping up after every speaker and using that two-minute portion to rebut the previous speaker.

I think this process is actually an abuse of what was established when the rules of the House established that members would have two minutes to speak. It was not two minutes to hear from the minister, the proponent of the bill; it was two minutes to hear from backbenchers in all three caucuses who wished to speak on the bill and would not at a future date have that opportunity.

The sad thing that is happening is that with this piece of legislation, the physicians in this province are automatically going to be billed for their dues to the Ontario Medical Association, although while they are going to be billed for those fees, they are going to be billed in a way that they obviously would have no control over, even if they wished to, because the dues are going to be taken from the OHIP billing of those physicians. This is very interesting in itself because while this is happening, the bill says very clearly that actual membership in the association remains voluntary. This current year's membership is \$1,050. At the same time a physician is having \$1,050 taken out of his OHIP billing, it is not compulsory for him to be a member of his professional association.

1740

What really is happening here is that we are unionizing doctors. I recognize that the Ontario Medical Association or the executive of that association, and they have had some kind of vote of membership, has said this is okay. They do not mind. The thing is that since December 1986 when Bill 94 was passed by the then Liberal government

of this province, doctors have been pushed further and further with their backs against the wall. Members may not be concerned about doctors and any individual group of people who practise medicine in this province. That may not be the members' responsibility.

Before somebody says, "Your husband is a doctor," I have to tell this new government that my husband isn't a doctor; he is a dentist. I always have to put this on record because usually somebody says, "You have a bias because your husband is a doctor." My husband is a dentist and my husband pays his own dues and fees to the Ontario Dental Association.

Hon Mr Laughren: Have you got a swimming pool shaped like an upper plate?

Mrs Marland: I tell the Treasurer, who is not at his desk and who is interjecting, that we do not even have a swimming pool.

The Acting Speaker: Order. I appreciate the fact that the Treasurer did perhaps need a reprimand in the sense that he was speaking out of turn and out of his seat, but I want you to address your remarks to the Chair and not directly to the Treasurer.

Mrs Marland: I would be more than happy to address my comments to the Speaker in the chair if you would rule from the chair that the Treasurer was out of order when he interjected, which you failed to do, I say with respect.

The Acting Speaker: I just have. The member for Mississauga South will be cognizant of the fact that I have just reinforced her position and I encourage her to continue the debate.

Mrs Marland: Nobody worries about physicians in this province until they are sick and they need one. Fortunately, the majority of people in this province are healthy. But those people who are not blessed with good health and need physicians and specialists are the people who know what is happening to our medical profession in this province. They are the people who know that we are losing the best people we have in this province, who go and practise medicine elsewhere. They are the people who understand what this agreement between the Ontario socialist government and the Ontario Medical Association is really about. They are the people who understand what this bill is about. They are also the people who would say to anyone in this province that it is absolutely ridiculous for this government to have decided that it will now pay the malpractice insurance of physicians.

Those people who require malpractice insurance are quite happy to pay their own, but I see this as a little carrot that this socialist government has negotiated with the Ontario Medical Association. It is a little give and take to get the Ontario Medical Association on side. The minister said a few moments ago that this will put an end to the acrimony. I want to say that this will not put an end to the acrimony, because there are a lot of people in this province who understand very well why the physicians have succumbed to this document, of which this bill before us today is a part.

There are a lot of people who understand how physicians and specialists in this province have been made the

scapegoat for the inflated cost of health care today in Ontario. I remember when the Liberal government brought in Bill 94 in December 1986. At that time, the discussion was about opted-out physicians and the loss of \$50 million we were not receiving from Ottawa under the Canada Health Act if we allowed physicians to extra bill. The extra billing amount equated to a loss of this \$50 million.

How ironic that in the first year of the enforcement of Bill 94, when physicians were forced to bill for everything they had not billed for before and were forced to practise turnstile medicine because they were told they could not opt out of being an employee of the provincial government, the increase in OHIP billing that year alone was in excess of \$113 million. The irony is that the whole debate was over \$50 million but it ended up costing an additional \$63 million to the people of this province.

If we are saying it is the physicians who are driving the cost of health care in this province and we must control them, and the way we do that is to buy them off in an agreement with their professional association, and we cap their billing, if we think the people of this province are so short-sighted that they will not come to understand what this means to them in terms of their access to health care, then we insult the people of this province.

The people of this province understand what is going on. They understand why the best of the best have either left or are thinking of leaving this province. They understand what percentage of the cost of health care is actually under physicians' billing.

At the time we passed Bill 94 in this House, the physicians' billings were actually about 18% of the cost of health care. I do not know what the physicians' billings actually are as a percentage of health care today. I think it is somewhere around 23% or 25%.

But what an irony that now we are saying, "You cannot bill over \$400,000 a year." That would have the people think that physicians earn \$400,000 a year. Let's be very clear about this point, because physicians who may bill \$400,000 or more a year are not earning that. That is their billing amount. It does not take into consideration what their overhead is.

A rough overhead in a general practice of medicine, I am told, is about 50%. That is not dealing with specialists who have very expensive equipment and specialized instruments such as specialists who do colostomies, for example, who use fibre optics which cost millions of dollars and who, at their own expense, invest in the capital cost of that equipment.

For example, let's say we have a physician who bills \$400,000 a year and his overhead is 50%. There are not very many who do, but let's look at that example. That physician then earns perhaps \$200,000 a year. Is this not the socialist government that felt the head of Ontario Hydro could be paid \$400,000 a year and has now cut him back to \$230,000 a year or whatever it is? Is it not ironic that this socialist government does not know how to weigh an argument on one side and the other? The thing is, the government cannot talk out of both sides of its mouth.

If we look at a specialist in this province who has invested 12 or 14 years in his education without any income whatsoever, then—

Hon Mr Wildman: We have also invested in it.

The Acting Speaker: Will the honourable Minister of Natural Resources refrain from interjecting? Allow the member the floor. Continue with the debate.

Mrs Marland: If we look at the personal investment that physicians and specialists make in order to practise medicine today, we are looking at an investment of 12 to 14 years in education. That is 12 or 14 years where they do not earn anything. They have no income, but they have costs. They have a cost of living, cost of books, cost of instruments and so forth.

Is it not something to think that we expect people today to decide to go into the practice of medicine, to go to university to learn medicine, and we say to them: "Okay, you won't earn anything for the first 12 or 14 years because you're going to be in school learning to be a specialist" with all the combination of specialties that are needed when we go to hospital? If they ever doubt that, they should ask some time when they are talking to a specialist how many years he or she has spent in school. We say: "Okay. You can donate 12 or 14 years of your life and then we're going to cap your income. We're going to control you. We're going to unionize you." That is what this bill is doing. It is making physicians belong to a union. If it is not, why would the government be collecting those fees?

1750

What an incredible issue it is anyway, if we are talking about 17,000, 18,000 or 19,000 physicians in this province and we are talking about \$1,000 per physician. Is this government such a poor manager of our finances in this province that it will scrape and grovel and do whatever it can to get another \$1,000 in and so decided to attack this particular professional group?

If we went out on the street today and asked the first 24 people we stopped, "Do you know that the only way a physician can practise medicine in this province is as an employee of the Ontario government?" I doubt if we would find two who know today that one cannot practise medicine except as an employee of the Ontario government. What other professions have we limited in such a way?

Even if members opposite think all of that is okay, I simply say, if they are looking at capping the income of a physician, if I were a physician who billed the maximum amount and when it got to that amount the government said, "You can't bill any more," what I would say to the government is: "Okay. If I get to my \$400,000 limit by September, I am going to take the other four months off and I won't be here to render the professional services for those patients who need me, because from here on I am only going to get paid two thirds or a third," whatever figure the ratio works out to.

Here we say to these physicians: "Go ahead. Practise medicine. Look after our sick people. Invest in your education and we'll tell you how much you can earn." It is outrageous. The fact that the Ontario Medical Association

has agreed with this and to the part of this which deal with collecting professional association dues is not an indication that it is what it really wants, but it is an indication of how this socialist government, on the heels of the previous Liberal government, has hammered the physicians, the health care providers in this province, into the ground.

If all those members who are sitting there shaking their heads are going to get sick, they had better get sick in the first half of the year if they want a complete physical and the consultation of the top specialists in this province. When they are sick I know they want to go to the best. They will be lucky if the best are still practising in this province.

Second, they will have to go before they have reached that magical figure at which they have capped doctors' income. They seem to think it is okay to say to a specialist "Your income is going to be capped at this amount" even though the operating rooms may be empty, even though the testing laboratories they need that are used by the referral of their patients are sitting there not being used, even though all this capital investment in physical plant and equipment for the protection of the people of Ontario is there. If the physicians who use those resources are capped that magical figure of income, those facilities may well not be used.

If the members opposite think that is okay, that is fine. I pray they will not be sick, that they will not need specialists and physicians. What they get and the legacy they have driven the future of this province into in terms of relationships with their health care providers is on their heads, not on mine.

I stayed up all night when Bill 94 was passed in this House in December 1986, because it did not take very much common sense to recognize that what would be the outcome of that piece of legislation is what we have here where we are now formally unionizing the medical people in this province.

At the same time, the government has decided it will collect the professional dues for the Ontario Medical Association membership and pay malpractice insurance. At the same time they are doing all that, is it not rather significant that we have had thousands of hospital beds closed in this province, that thousands of nurses are now going to be out of work because the government cannot pay their salaries and therefore the beds are empty?

On the one hand the members opposite are saying "Okay, physicians, we are going to cap you at this level of income." On the other hand, they are saying it is okay to close hospital beds and allow nurses to be out of work. It is a total mismanagement of the health care system, and the members opposite are fortunate because they are healthy enough to be in this House today and not need the health care system. But when they do need the health care system—

The Acting Speaker: Order. Has the member concluded her speech? No? She will have the floor tomorrow when the House resumes. It now being close to six of the clock, this House will stand adjourned until 1:30 tomorrow afternoon.

The House adjourned at 1758.

LEGISLATIVE ASSEMBLY OF ONTARIO
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Legislative Assembly
of Ontario

First Session, 35th Parliament

Official Report of Debates (Hansard)

Wednesday 6 November 1991

Assemblée législative
de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le mercredi 6 novembre 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at (416) 325-7400.

Numbering of Hansard

Effective with the opening of the Second Session of the 35th Parliament, Hansard issues and pages will once again be numbered on a sessional basis. Hansard numbering therefore will become consistent with Orders and Notices and Votes and Proceedings, and with other parliamentary publications throughout Canada.

For the last two years Hansard has been numbered according to the calendar year. Under this system, the numbering of issues and pages was restarted with the first issue in the calendar year, regardless of session or Parliament.

Under the new system, the sequence of numbering started in January 1991 will end with the final House and committee sittings of the present First Session. A new sequence will begin on the opening day of the Second Session, and each succeeding session, which will be issue 1 and begin with page 1. Committee reports likewise will be numbered from the first sitting of each committee in a parliamentary session.

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Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 325-7400.

Numérotation du Journal des débats

A partir du début de la deuxième session de la 35^e législature, les pages et les numéros du Journal des débats seront de nouveau numérotés par session. La numérotation du Journal des débats correspondra donc à celle de Feuilleton et Avis et de Procès-verbaux, ainsi qu'à celle des autres publications parlementaires au Canada.

Depuis deux ans, le Journal des débats était numéroté par année civile. Avec ce système, la numérotation des numéros et des pages recommençait au premier numéro de l'année civile, quelle que soit la session ou la législature.

Avec le nouveau système, la numérotation commencée en janvier 1991 s'arrêtera à la dernière séance de la Chambre et des comités de l'actuelle première session. Une nouvelle série commencera le jour de l'ouverture de la deuxième session et des sessions suivantes : numéro 1, page 1. Les rapports des comités seront également numérotés à partir de la première séance de chaque comité pour une session parlementaire donnée.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 6 November 1991

The House met at 1330.
Prayers.

MEMBERS' STATEMENTS

GATEWAY PROJECT

Mr Ramsay: It is a pleasure to stand in my place today and to salute a group of hardworking women and men in my riding of Timiskaming. On Monday of this week I attended the official opening of the Gateway project in the town of Haileybury. This is a skills training initiative that is both imaginative and I believe will prove to be truly effective.

First, Gateway is a partnership of a broad cross-section of organizations in Timiskaming: the Canadian Steel Trades Employment Congress, commonly known as CSTE, which is a partnership between the United Steelworkers of America and the steel companies of this country; the Sherman Mine Adjustment Committee; the Timiskaming Board of Education; Employment and Immigration Canada; the Ministry of Northern Development and Mines, and the town of Haileybury.

The group has developed a hands-on work project of building a home that will provide employment and job training. At the same time, the workers are going to be going to an adult training facility in Haileybury to upgrade their academic qualifications. The beauty of this project is that the proceeds of the sale of the house will allow the project to continue so that we in Timiskaming can continue to train unemployed workers.

I urge the Minister of Skills Development to take a look at this project as a model. I believe it is important to develop the skills of workers in Ontario so that we can stay competitive in a changing global economy. I salute the men and women and the organizations for their work and creativity and I wish all the participants well.

H. GORDON GREEN

Mr Arnott: On Sunday, November 3, Ontario lost one of its most renowned literary figures. H. Gordon Green—broadcaster, newspaper columnist, editor, novelist, teacher, farm leader, politician and homespun philosopher—died at the age of 79.

Raised in Arthur in the county of Wellington, in an area that was known as "stumptown" at the time, he received his early education at Arthur public and high schools. Very much a renaissance man, Gordon Green contributed greatly to promoting among the urban population of this province, and indeed throughout Ontario, a fundamental understanding of rural Ontario, its character and its people. With his death, rural Ontario has lost one of its best friends and strongest allies.

His political ambitions, fortunately or unfortunately, depending on one's perspective, were not realized when he ran for the New Democratic Party in the 1962 federal general election in the riding of Wellington-Huron, which was

ably represented for many years by yet another Arthur resident, Mr Marvin Howe.

In conversation yesterday with my friend Jim Hamilton, our local historian in Arthur, who was a lifelong friend of Gordon Green, Jim recalled his last visit with Gordon back in May 1990 on the occasion of the 100th anniversary reunion of Arthur District High School. Gordon felt it might be his last visit to his home town.

H. Gordon Green will be sadly missed by his family, his friends and his faithful readers. Those of us in rural Ontario who have a special place for him in our hearts mourn his passing.

HAZARDOUS WASTE

Mr Hansen: I rise today to inform the House of a very important ongoing activity in my riding of Lincoln.

With Lincoln being made up of five municipalities and being mainly rural, it is difficult to implement an effective waste management program. In 1971, four of the municipalities, Grimsby, Lincoln, Pelham and West Lincoln, got together to form a board of management committee to jointly administer one municipal landfill to serve all four communities. However, their collective efforts have not stopped there. Since 1987 they have been operating special household hazardous waste days to allow their residents the opportunity to rid themselves of old paint, oil and so on, instead of having to go directly into the landfill.

This year the group opened a permanent facility for household hazardous waste in Grimsby. Now residents from all four communities have a place to bring their hazardous waste on a regular basis. On Saturday I visited the depot to congratulate the staff who help collect the waste and to thank the people for taking the time to separate their waste to help protect the environment.

The four communities have shown that politicians and people can work together to help solve the problems Ontario is facing. The board of management should be commended on its fine effort in dealing with its own waste problem and for getting the residents so actively involved. Even though the board is busy preparing an environmental assessment document for a new landfill, it has taken it upon itself to initiate new waste management programs.

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LEGAL AID

Mr Callahan: I rise today to address the flip-flop by the Attorney General. He was reported recently in the Law Times as proposing that legal aid should be phased out in favour of a public defender system.

I am old enough to remember when the legal aid program was brought into this province and the decision was made that the public defender system was of less quality and would be more costly in the long run. In addition to that, it sets up a two-tier system of justice in this province. It provides very efficient paid-for justice for those who can

afford it and it actually dumps on those people who are not able to afford it.

Legal aid has provided megaservice to this province over the years it has been in existence and I suggest it is the way we should go. I ask the Attorney General to make a decision quickly, because there are people out there who cannot afford to retain their own lawyers and are being served very well through the legal aid system. If he intends to dump on the very people the New Democratic Party professes to protect and preserve, then that is what he will in fact do by setting up a public defender system. If any review is taken of New York or any other jurisdiction that has a public defender system, it is less than desirable; it is in many cases a sham.

I suggest to the Attorney General and to the Treasurer, please do not eliminate legal aid. It is the best-quality system; it is the best program in existence and our justice system will be served well.

ORANGEVILLE SWEET ADELINES

Mr Tilson: Today I would like to offer my congratulations to the Orangeville chapter of the Sweet Adelines on the occasion of their 10th anniversary, to be celebrated on November 16, 1991.

For those who are not familiar with this great-sounding group, the Sweet Adelines International is an organization of 30,000 women in more than 700 chapters across Canada, the United States, the United Kingdom, Sweden, the Netherlands, Japan, the Republic of Panama, Finland, Germany, Australia and New Zealand. This group's mandate is to develop and promote a public awareness and appreciation of the art form of barbershop harmony and to teach its members to sing and perform four-part harmony in barbershop style.

The Orangeville chapter of the Sweet Adelines was established in October 1979 with nine members, and by the time the group received its charter in November 1981 the membership had grown to 40.

They have experienced great success over the past 10 years. They can be heard performing throughout the community at dances, seniors' homes, hospitals and of course their own very popular concerts. The Orangeville Sweet Adelines also encourage new recruits and welcome women who love to sing, are energetic and interested in being the best they can be.

I wish the Orangeville Sweet Adelines best wishes and continued success on their 10th anniversary. I have had the pleasure of enjoying many of their performances and I encourage all Ontarians to support their local chapter of the Sweet Adelines.

ASSISTANCE TO FARMERS

Mr Hayes: As all the members will recall, the Minister of Agriculture and Food asked me to chair a task force across this province last fall. As a result of that, we were able to come up with a financial assistance program that helped some farmers in the long term.

We spoke and listened to many of the individual farmers across this province, and the message we got was that they are tired of ad hoc programs. They have asked us to

look at the long-term solutions dealing with agriculture and also other sectors in the rural community.

I am very pleased to say today that we have been able to bring together a large group of people representing agriculture in this province, and having them all in the same room is really an accomplishment of this government. We have had the Ontario Federation of Agriculture, the National Farmers' Union, the Christian Farmers Federation of Ontario, the Catholic Rural Life Conference, the Union des cultivateurs franco-ontariens, the Farm Women's Network, the Ontario Commodity Council, representatives of supply-managed marketing boards and also representatives from the financial institutions.

I am very pleased we were able to do this, and I can tell the members that it is a very good working group. I ask the members from all sides of this House to help and assist us in reaching our goal of protecting the family farm in Ontario.

METHANE GAS LEAK

Mr McClelland: The city of North York received a letter not too long ago from the Minister of Housing. The letter was dated August 27, 1991, and was in response to communications about the possibility of an existing hazard on a parcel of land previously used as a landfill site being proposed for a high-rise development. The Minister of Housing responded that the Ministry of the Environment had decided that a review of the hazard was not needed since there were only trace amounts of methane present.

The Finch-Ardwick community is very concerned about the investigation by the Ministry of the Environment—might I say the lack of investigation—was not rigorous enough and did not really look at any of the details and that a greater hazard exists than the government is willing to acknowledge. It is important to note it has said there were trace amounts. I remind the ministers involved that Bluehaven public school, which is very close to the building site, was closed and remains closed because of methane gas seepage.

I want to caution the ministers involved and the local member, the member for Yorkview, that the issue here involves public safety and requires a close, hard second look. I hope the relevant ministers will re-examine the files on this very important issue so that a serious mistake is not made. We have to remember that people's health and safety is being put in jeopardy here. I remind them that their answer was, "There were only trace amounts." The school has been closed because of seepage. I ask the minister to please review this and exercise caution.

GEORGE TOTTENHAM

Mr B. Murdoch: Today I would like to congratulate my constituent George Edward Tottenham, who has been made a serving brother of the Order of St John. He received his award from the Governor General of Canada at a ceremony in Ottawa last month.

Mr Tottenham, for many years an elected municipal official, has served his community in many capacities, but his selfless volunteering of more than 7,500 hours to the St John Ambulance cannot go unnoticed.

As most members know, St John Ambulance is an organization committed to improving the health, safety and quality of life of Canadians, partly through the work of people like Edward Tottenham who are trained in the care of the sick and the injured and who volunteer their time to help their fellow man.

St John volunteers have distinguished themselves throughout the 20th century in Canadian history by serving overseas in both world wars and by assisting victims and their families in tragic situations at home such as the springhill, Nova Scotia, mine disasters, the Mississauga train derailment and the Barrie tornado devastation.

I am very proud that Edward Tottenham has devoted so much of his time to as vital an organization as St John Ambulance. I am sure all members join with me in applauding his achievement, thanking him for his commitment and wishing him well in the future.

ROBERT CARLIN

Ms S. Murdock: A little bit of the Sudbury basin's history has been brought to mind. I rise today to honour a distinguished former member of this House, not only a great Canadian but a committed builder of the labour movement and of social democracy in Ontario. On Tuesday, October 22, Robert Hugh Carlin, who sat in this House between 1943 and 1948 as MPP for Sudbury, passed away at the age of 90.

Bob's life was a history in miniature of the labour movement and of social democracy in this province. At age 15, he went to work in the mining camps of northern Ontario where he soon became a life-long, dedicated trade unionist. He eventually held executive positions in the one big union, the International Union of Mine, Mill and Smelter Workers and the United Steelworkers of America. He served as a delegate to the International Labour Office of the United Nations.

In his two terms as MPP, he was a forceful and committed advocate for working people and for the city of Sudbury. In his years in the Legislature, he pushed for many measures to help working people, including a 40-hour workweek and a mandatory two weeks' vacation with pay. He was at the forefront of the fight for a university in Sudbury, a fight that was ultimately won. He received an honorary doctorate in 1978 from Laurentian for all his work on behalf of the city.

On behalf of the government and my party, I offer my condolences to his family and friends. I did not know Bob Carlin personally; I wish I had. But I must say that I hope to live up to the example and the high standards set by the first Co-operative Commonwealth Federation MPP for Sudbury.

VISITORS

Mr O'Connor: On a point of order, Mr Speaker: I would like to bring to the attention of this House a delegation of senior Czechoslovakian representatives sitting in the members' gallery east.

The Speaker: The member does not have a point of order. To the guests, welcome.

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STATEMENTS BY THE MINISTRY

ONTARIO INVESTMENT AND WORKER OWNERSHIP PROGRAM

Hon Mr Laughren: Our government is very pleased to announce today an important piece of legislation.

The Ontario investment and worker ownership program is an important step on the road to rebuilding the economy. It will provide businesses in this province with a new source of much-needed capital. It will provide our workers with an opportunity for greater participation and increased decision-making in the places they work.

It is well known that employee participation in the workplace helps to increase productivity. It also fosters better understanding between business and labour as each becomes more aware of the other's needs and challenges. Finally, worker ownership helps save jobs by supporting viable companies that would otherwise close.

We are proud to say that this program is the product of a successful consultation process with the various stakeholders—business, labour and investment groups. As a result of our extensive consultations, the government has altered the draft legislation somewhat. For example, one of the suggestions we incorporated was to move from a majority control position by employees alone to a significant participation position with outside investors, thus allowing outside investors to join with employees in acquiring control of their companies. This will broaden the program's appeal and better meet its objectives. Another change is the institution of payroll deduction systems to facilitate share purchases. These changes to the draft legislation confirm the government's commitment to a process which not only listens to the people of Ontario, but which also responds to their needs and concerns.

We all know the economy of Ontario is undergoing enormous change. The role of this government is to help the people of Ontario respond to those changes, and to respond in a way that includes all the players in the economy.

As I said before, both employer and employee will benefit from the Ontario investment and worker ownership program. Small and medium-sized business will now have access to a new source of capital. This capital will help businesses grow and modernize, and employees will have more opportunities to be participants in the economy.

All the results of the program—new sources of capital, increased productivity, better labour-management relations and saving jobs—will contribute to rebuilding the economy, and rebuilding the economy is the most profound challenge facing Ontario today and one which this legislation will help address.

RESPONSES

ONTARIO INVESTMENT AND WORKER OWNERSHIP PROGRAM

Mr Phillips: To respond to the minister's statement, I think his last sentence was most appropriate. Indeed we are facing a very difficult economic time.

There are several aspects of this that we will want to study in some depth. The statement today is fairly bare

bones—I think the minister will agree—because for everyone's information, we are talking about a lot of money here. I think the Treasurer at one time said there may be as much as \$100 million a year of taxpayers' money involved in this program, so it is not a small program that we are talking about.

One of the aspects we will want to get into in some detail—and there is another level of consultation that has to take place, and that is with the Legislature—is the protection of workers. People are going to put their hard-earned savings into this and there are two aspects they are going to purchase. One is, as I read the minister's document, companies that may be failing, where the government will want the workers to purchase them. We will want to be sure that as they put their hard-earned savings into this, there is some protection for them and there is full disclosure. I think the Ontario Securities Commission has already expressed its concern about the lack of disclosure.

The second thing we will want to debate is how much money is involved here. The Treasurer has indicated in an interview, I think, that it might be as much as \$100 million a year. The actual taxpayers' subsidy can be \$50,000 per individual, as I think the Treasurer will acknowledge—approximately \$50,000 per individual investor of taxpayers' money in this.

I understand there is a proposal in the document that if an owner of a business is planning to retire, he could sell the business to the employees. Again, we have to recognize there could be as much as \$50,000 per employee of taxpayers' money involved in that, so we will want to look at what protection there is for the taxpayer.

The final aspect of this that we will want to look at is the issue I raised yesterday. That will be addressed by one of my colleagues who is also responding. It has to do with just who has access to these venture capital programs, who will manage them and who has the authority to run them.

We look forward to taking certain aspects of this and ensuring that the workers are protected, the taxpayers are protected and we still achieve the objectives the Treasurer has outlined in terms of ensuring that, wherever possible, workers in this province have an opportunity to participate in the ownership of their businesses and, wherever possible, firms that may be viable long-term but need a little injection of help can be saved.

Mr Offer: As my colleague the member for Scarborough-Agincourt has indicated, we recognize that there are certain aspects of the Treasurer's statement in the Legislature which we know will require further debate. In his statement he has spoken about the need for consultation. The question today becomes, was he in fact listening?

This particular announcement and the proposed legislation only applies to trade unions. It excludes, for instance, co-operatives and employee associations. The Treasurer will be aware that in Saskatchewan and BC, for instance, this type of legislation applies not only to trade unions but indeed to associations of trade unions, to investment co-operatives and to associations of employees. Real legislation which provides real protection must embrace these types and forms of associations.

We will also be asking the Treasurer in this debate how he can respond to the question of this limited form of protection and application of legislation when just yesterday in this Legislature, in response to a question by the member for Scarborough-Agincourt on this very issue, whether the Premier will be able to assure all workers of the province that they will be treated equally, the response of the Premier was yes, yet in the Treasurer's statement today he has limited the application to trade unions. He has excluded employee associations; he has excluded co-operatives. These are areas which will require debate and certainly are of concern to us in order to provide real protection for those who very badly need it.

Mr Stockwell: When I discuss the announcements such as the Treasurer has made today, I tend to be somewhat cynical, I suppose, because if we look back on some of the other programs and offers that have been put forward by all levels of government under programs much the same as this—for instance ESOP. The employee share ownership plan, in two or three years, has had nine takeups. Members opposite would probably class that as a dismal failure. It is that way because it is so complicated and difficult to qualify. I firmly believe the Treasurer has made it that way. I would not expect the member for Scarborough-Agincourt to worry too much about the \$100 million because I doubt very much if we are going to get anywhere near that kind of number when we are talking about takeups or people who qualify for these particular programs.

Mr Sorbara: It is public relations.

Mr Stockwell: The suggestion is it is public relations. It probably is public relations. It is public relations for the unions in this province. I make a wager as well. I think the unions will be about the only people who qualify under these programs.

The Treasurer suggests, "The Ontario investment and worker ownership program is an important step on the road to rebuilding the economy." That is a farce. If this is the most important step this government is taking, it is in a far sadder shape than anyone could have expected. They are playing on the margins. Let's ask ourselves one simple question: Why, if this is such a good idea, do we have to give tax incentives to unions or the employees? Because nobody would finance these plans. Nobody would finance this employee takeover. Why? Because it is a huge investment for a very risky business. No question about it, it will be very risk-oriented. If you cannot find capital financing out there today, you go to the government. The government will be left holding the bag, in my opinion, on a lot of risky programs that the private sector would not pick up.

1400

Having said that, we must understand that we are in a public relations forum here. They are not going to be allowed to qualify. Even if they do qualify they are going to be very risky, operated and run by unions. This is not going to be a step on the road to recovery. We are going to balkanize the capital markets, particularly because the government is venturing into the capital market business.

my opinion, that is not going to bode well for our economy in this province.

This is a clear hurdle between interprovincial trading, in my opinion. We are offering preferential treatment to provincially run businesses. There is no doubt in my mind that this will be seen as an interprovincial barrier established by this Treasurer and this province.

The Treasurer suggests, as I said, it was a takeover. What it comes down to is simply this: It is asking the taxpayers in Ontario to subsidize union takeovers. That is really what it comes down to. They are asking the taxpayers right across this province to subsidize union takeovers of businesses that basically are not viable. They could not get capital financing, they are not making money, so the province is going to guarantee the loans so a union can buy out a failing business.

If it were the personal money of the Treasurer or any of his colleagues, would they lend it out on this basis? Of course they would not, because it is a very risky business, a risky venture and, as I said before, it is using the taxpayers' money to bail out companies for a union takeover, which I cannot endorse. I would not endorse that on a union basis. I would endorse it on a private sector business operation. If a business fails, it fails. That is the free market system.

I know what is going to happen. The takeup under this program will be marginal. It will be exclusively the domain of unions. It will be a taxpayer risk to finance these takeups. Most of the businesses will fail. We will be stuck with a tremendous bill to pay because they will not be able to service their debts.

This, the Treasurer is suggesting to us, is the first step on a road to rebuilding the economy. This is public relations, it is farcical and it will not work. It never has and it never will. I do not hear any taxpayers coming up to me and saying, "Please, could you start subsidizing unions to take over their companies so they can lose money, go out of business and you guarantee their loans?" Not very right.

ENERGY CONSERVATION

Mr Jordan: On a point of privilege, Mr Speaker: Yesterday in this House I made a statement regarding the government's policy on conservation programs and I pointed out that they were costly and, in our opinion, not effective.

After returning to my office I found I had received a call from a senior official of Ontario Hydro. I returned the call to find this official very critical of my statement. He said he thought they had an excellent program, had received excellent press and he was disappointed that I could make such a statement in the House.

I was representing the feelings of the people I represent in Lanark-Renfrew, and I was representing our party policy. I am wondering if this is going to be a policy of the new Minister of Energy to try to harass members so they are not free to express their views relative to new policies.

The Speaker: I will be pleased to take a look at the situation brought to my attention by the member for Lan-

ark-Renfrew. Perhaps the member could provide my office with further details.

Mr Mancini: On the same point, Mr Speaker—

The Speaker: You are rising on what?

Mr Mancini: On the member's point of privilege, because the member—

The Speaker: No, no. Take your seat. You rise on your own point of privilege, not someone else's.

ORAL QUESTIONS

ONTARIO ECONOMY

Mr Elston: I have a question for my favourite storyteller, the Treasurer. He has by now been seen to have considerable competition but he is far and away the leader in storytelling in this province. I would like to talk to him just a little bit about the loss of jobs in Ontario, the fact that thousands of working women and men have been thrown out of work and that there has been little if any response by his government to any of these things.

Last Friday, for instance, Komdresco in Cambridge shut its doors for the last time, throwing some 200 women and men out of work. The day before, Borden announced it was closing the Ingersoll plant, putting another 79 people on the unemployment lines. While the Premier continues to speak of consultation, dialogue and consensus, the sad reality is that we continue to await his grand economic recovery plan and nothing comes as these men and women lose their jobs.

I want to know what plans the Treasurer and the Premier have, since the Premier is in charge of almost everything in this province of ours now, to stem the flow of capital, jobs and talent out of Ontario and into places like Pennsylvania, Mexico and other locales?

Hon Mr Laughren: I regret that the leader of the official opposition chooses to cast such a pall of gloom over Ontario. I think most of us feel that Ontario is still the best jurisdiction in the world in which to live, work and invest.

We acknowledge the fact that the last year has been an extremely difficult year. To deny it would be downright foolish. We know that in the last 18 months the private sector has laid off over 250,000 people. Government cannot pick up all of that slack. That is simply not possible to do.

At the same time what is bothering us is that of all the job losses, about two thirds of them are deemed to be permanent. Without getting into all of the reasons for that, since I would be accused of finger-pointing at the federal government because of its high-dollar, high-interest rate policy, we are trying very hard in this province to create an environment in which the investment community will see that this remains the best jurisdiction in the world in which to invest.

Mr Elston: I merely stated in my opening question that several companies had recently shut down. That there are others is clear to all of us. While my favourite storyteller does not disappoint with his new stories, perhaps he could hear these companies and the number of people they have thrown out of work: Kendall in Peterborough—they

have gone south—144 people; Amerock, Meaford, 140 people; Heinz, Leamington, 280 people; H & K Manufacturing in Cobourg is shutting down on the 25th of this month to concentrate production in Dallas, Texas.

The people in this province are not finding it to be satisfactorily competitive with other jurisdictions. I do not think any of us need to be told by the Treasurer that he is hoping it will remain a competitive climate to do business in, rather than asserting that is the case.

I want to know what the Treasurer and Deputy Premier is going to do to stop the haemorrhaging and in fact to enhance our competitiveness in the international field.

Hon Mr Laughren: Before I do that, I wonder if I could put it in a bit of perspective here that the leader of the official opposition is not giving. He went through a list of some companies that have closed. I wonder if I could give him some good news, if he can handle it.

First of all, we announced in this Legislature yesterday funding for the Industrial Research and Development Institute to be located in Midland. I think that is a good sign; it is a very positive sign in this province. In Windsor, a GM trim plant has won a contract to provide seats for a GM assembly plant in Michigan. That is good news for Ontario. Piper has chosen to move the main business of its aircraft company to Canada—from the United States, I might add. Both Toronto and Vancouver are short-listed as potential locations.

Mr Elston: You are really stretching.

1410

Hon Mr Laughren: No, I am not stretching it. These are all good-news announcements which the leader of the official opposition does not want to hear.

Finally, I remind the leader of the official opposition that in the last year, of all the foreign investment that came to Canada, three quarters of it, a full 75% of it, came to this province because people know this is a great place to invest.

Mr Elston: I think I want to thank Darcy McKeough for leaving one of his old speeches in the Treasury. I cannot ask any of us here to listen to this story without joining the debate but perhaps on another occasion.

It is very clear indeed that a whole group of people in business in Ontario find that it is onerous to be in business in this province and that they need some leadership from this Treasurer, from this government, to help them compete against the international competition.

To ask the same question again and ask him once again, will the Treasurer tell us what he is doing to make Ontario competitive? What role will the release of his government's statement tomorrow on the Labour Relations Amendment Act add to competitiveness in Ontario?

Hon Mr Laughren: There are a number of questions built into that supplementary. But I truly believe this government has indicated and shown by its actions, not simply its words, that it is prepared to sit down with the business community to work out differences we might have. I do not think any government in this country has ever spent the time we have in consulting with the business community. When we do it, we are criticized by the opposition for

spending too much time consulting with the business community.

Interjection.

The Speaker: Order, the member for Grey.

Hon Mr Laughren: I do not think we do spend too much time consulting with the business community, and there are examples. The statement I made today is a good example of how we went out and consulted with the business community, with the labour movement, with investment groups, we made changes to our proposals and we have come up with a better package than we went in with and I think that is the way it is going to be.

Finally, the leader talked about the Labour Relations Act amendments, which I gather will be introduced tomorrow. I think there has been a lot of hand-wringing over the legislation and the discussion paper before anybody even knows what is contained therein. I ask the leader of the official opposition to check what happened with labour relations in Quebec when it reformed its labour legislation a number of years ago. I believe that, if anything, it created a better atmosphere of labour relations in the province than had existed before.

Mr Phillips: My question is also to the Treasurer and follows along with my leader's questions. It also has to do with developing confidence in the economy.

I think the Treasurer would acknowledge that the area that is perhaps of most concern to the people of Ontario and certainly to the investment community, is his four-year economic plan. I think most people would accept living with a deficit in tough times—perhaps not the deficit he has, but a deficit. The thing that concerns people the most is a four-year economic plan that calls for deficits that never get below, I believe, \$7.8 billion, and even that assumes a healthy economic climate for the next three years and about \$5 billion of new taxes. We recently saw the two new governments that were elected out west both calling for balanced budgets over the mandate of their term.

Given that experience, given the fact that the minister has now had this job for a year, could he outline for the people of Ontario that it is his intention not to live with that four-year major deficit plan, but rather that he will undertake to come out with a balanced budget by the end of his mandate?

Hon Mr Laughren: It seems like longer than a year. I want to assure the member opposite that when we put the budget this past spring the deficits for what we call the next four years, the three years after this one—and his numbers are quite correct—we did it based on our forecasts of where the economy was heading in the next three years after this one. While there are some indications by some forecasters that the growth will be greater than we have predicted, it is not a lot greater. Even the more optimistic ones are not greatly more optimistic. The unemployment rate will stay very high for the next three to four years. Even in that third year, when the forecasters assume we will be completely out of the recession, the unemployment rate will still be flirting with between 7% and 8%. That was the forecast upon which we based the numbers in the budget.

I see the Speaker is looking nervously at me, so I will simply wait for the supplementary, other than to say that I think it is going to be difficult enough reaching the figures for those out years, without pretending that we can balance the budget in three years.

Mr Phillips: That is a problem. On the unemployment rate, I believe the Treasurer predicts higher than 7% to 8%; I think he is in the 8% to 10% range, which I think for all of us, on every side of the House, is unacceptable.

At the standing committee on finance and economic affairs the noted economist Mel Watkins spoke to us. He spoke on behalf of the Canadian Centre for Policy Alternatives and 59 economists. When we asked, should this government balance the budget, he was quite critical of the Treasurer and the government and said, "I would think that this government...with a four- to five-year mandate"—which it does have—"ought to aim to balance its budget over that period." He was just one of virtually everyone who felt the Treasurer should balance the budget over his mandate.

My question to the Treasurer is, what are we going to tell Professor Watkins the next time he appears before our committee, asking his advice on the Treasurer's balanced budget?

Hon Mr Laughren: I think all Keynesians want to balance the budget over the economic cycle. He might take offence at me for referring to him as a Keynesian, but I think he is. I think it is simply unrealistic to think we can cope with the rising utilization of the health care system—it is raised in this Legislature almost every day—increased enrolments in the educational system, the absolute essential—

Mr Elston: You're cutting it back. You're slashing health care.

Hon Mr Laughren: The Liberal leader even complains when we try to contain the cost of the health care system. At the same time, the members opposite say we should be cutting expenditures. The opposition has to understand that there is a serious problem out there in terms of rising expenditures. At the same time our revenues are not going up as quickly. I simply say to the member opposite that nothing would make me happier than to have a balanced budget at the end of three years, but I am not going to kid the troops and pretend that I believe we can do it in that period of time, because I simply do not believe

Mr Phillips: Just so we know what we are dealing with over essentially the next four years, is the Treasurer confirming today that he is making his financial plans—because he is laying them now for the next 18 months to two years—on the basis of continued deficits in the \$8-billion range, new taxes in the \$5-billion range and unemployment running in the 8% to 9% range? Is that what Ontario has to look forward to over the mandate of this government?

Hon Mr Laughren: There is no question that in the next three years after this one—I think we are talking about the same time frame—we are going to be faced with budget deficits; that is absolutely correct. If the economy rebounds faster than, quite frankly, I think it is going to,

and if our revenues are more buoyant and we are able to contain our expenditures even better than we have already—we have stayed within our forecast this year despite some very substantial pressures—then of course we would have the deficit lower than is forecast in our 1991-92 budget.

At the same time, I am not going to stand in my place and, simply to take off some immediate heat, say that people should not worry and that we will reduce the deficit more than is indicated in the out years in the 1991-92 budget, because I do not think we are going to be able to do that unless there is a much more buoyant recovery in the economy than I think there is going to be.

1420

RETAIL STORE LEGISLATION

Mr Carr: My question is to the Solicitor General. I quote from the throne speech to start off with, and we are going back a year or so ago: "It is a government that will listen to the people and respond to their needs to the best of its ability."

There is a group of drugstore workers who have attempted to make their views known. They appeared before the standing committee on administration of justice. They wrote to the Solicitor General and they have met with him. They have taken out full-page ads in the papers. They have given him about 20,000 petitions. They have protested in front of the Legislature. They have confronted him as well as the Premier in the alley. Last night they were at the Premier's office protesting. Why will the Solicitor General not listen to the people and change his bill that discriminates against drugstores that are over 7,500 square feet?

Hon Mr Pilkey: In the amendments presented by this government, Bill 115 does not discriminate against those drugstore workers. In fact, the bill and the amendments do not alter the previous legislation brought in by the former government. The promise this party brought to the people of Ontario was for the enactment of a common pause day that could be enjoyed by individuals and families alike, and also worker protection to require that those who wish not to work on Sunday would not have to. There is nothing in the bill or the amendments brought forward by this government that alters the facts for these people, as it was the law for, I believe, the last two or three years.

Mr Carr: I know the Solicitor General is fairly new to the position, but there are his draft regulations on tourism. I will speak slowly so he will understand this. This is his document and if he will look to it and refer to the very bottom of the first page, in clause (a) this government says that if a municipality decides to open—he remembers that he was a mayor; this is a municipality—if they are above 7,500 square feet and decide to open, under the tourism criteria they cannot open.

Let me put it very simply to the Solicitor General: If Toronto decides to open, under the tourism criteria these drugstores cannot open if they are above 7,500 square feet. Will the Solicitor General take a look at these regulations—remember, we are talking about his draft regulations—look at the 7,500 square feet, get an eraser and take that out?

Hon Mr Pilkey: I would like to indicate to the members of the House on this particular issue, because I think it adds great clarity, that drugstores that are providing pharmaceutical, cosmetic and related goods can and are open 52 weeks a year on Sundays in this province. The only caveat there is that they be no larger than 7,500 square feet. All I can indicate to anyone who is a shopper of any ilk at all is that if a drugstore cannot serve the need for pharmaceutical goods in 7,500 square feet, there is something wrong.

Mr Carr: The problem is that they cannot do anything with the square footage. In case he does not know, they cannot close it down. They even wanted to be a little bit practical and said: "We would only sell the things you tell us we can sell on a Sunday and 70% of the things we sell are drug items. We have cash registers that we can program so the only things that will be able to be processed are what you tell us. The advanced technology is such that if somebody tries to take a piece of bread or a Coke, and you does not want to include that, it will not be able to go through the register, those little things that go through and print the money."

This is the situation. The Solicitor General has said continually that he is listening to the people. This is what somebody said, and I have a picture of this lady: "You don't care, Bob"—referring to the Premier—"as long as you have your pockets full, as long as you're chauffeured around all the time. What would you care about the people in this province, trying to look after it, because this province is going to the dogs?" I agree with this lady. It is going to the dogs.

The Solicitor General can decide what needs to be sold. If it needs to be drugs, that can be programmed. He can even tell them what he wants them to sell. My question is this: Will he commit today to letting those drugstores open?

Hon Mr Pilkey: In terms of the comments read by the member, those are obviously extremely objective remarks by that individual that he conveys to the House. I would also like to indicate that if the member opposite believes—

Interjections.

The Speaker: Order.

Hon Mr Pilkey: To the second part of the question, I would like to pass along the opinion that if drugstores start back into the roping-off example, or if people are allowed into stores to take products off the shelf and bring them to a cash register to find out they are then rejected by some kind of automated tape, it would certainly create tremendous confusion, disruption and a not very harmonious circumstance in those retail outlets. I can only indicate to members that this party did not campaign or promise amendment to the drugstore issue. It did promise and campaign on a common pause day and worker protection, and we have delivered on that promise.

HEALTH CARE

Mr J. Wilson: In the absence of the Minister of Health, my question is to the Deputy Premier. CKCO-TV reported yesterday that the Ontario Hospital Association

says that provincial hospitals are running a total deficit of \$200 million, that 3,500 hospital beds, will be closed by the end of March 1992, and that 5,000 full-time positions will be eliminated.

The government is squeezing the hospital system without an effective management plan. The OHA says hospitals are being forced to plan for the future in the dark. Will the Deputy Premier, the person who holds Ontario's purse strings, today table this government's comprehensive plan for controlling health care costs in this province?

Hon Mr Laughren: I think it is important to get a couple of things on the record in this assembly. First of all, when we issued our transfers to our partners in the province last spring, the hospital sector got an increase of about 9.5%, as I recall, which is a fairly substantial increase in funding for hospitals.

Second, the Minister of Health has asked the hospital system in a very direct fashion, in her inimitable way, to live within their budgets. We are not into bailing out hospitals that have deficits. That has been stated categorically to the hospital sector. I think we should understand that there is a lot of money spent on the health care system in this province. We are determined to maintain the best health care system anywhere at the same time as we maintain its costs because I believe as fervently as it is possible to believe that if we are going to save and maintain the principles of medicare in this province, we have to contain its costs as well.

Mr J. Wilson: We would agree that Ontario's health care system needs to be managed more effectively, yet this system is starting to haemorrhage and this government is applying only Band-Aids. The minister has no overall plan for maintaining accessible, quality health care. The OHA president, Dennis Timbrell, told the Globe and Mail that the province has complicated matters by failing to provide clear guidelines on the future of hospitals within the health care system. Mr Timbrell said, "We've got to have some leadership from the ministry, and some very clear policies." When can we expect to see those policies?

1430

Hon Mr Laughren: First of all, when a comprehensive program for managing the hospital system is released it will be released by the Minister of Health and not by me. But I can tell the member that, in particular, the Conservative Party of this province simply cannot rise to its collective feet every day in this Legislature and start demanding that we control the expenditures in the province and then at the very moment we try to effect savings, whether it is the closing of registry offices or the rationalization of the hospital system, complain that we are not doing enough or doing too much.

I do not know whether the Conservative caucus believes we are doing too much to control the cost of health care or whether we are not doing enough. I wish they would tell me which it is.

Mr J. Wilson: I say to the Deputy Premier: Read my lips. I already said to him that we agree Ontario's health care system needs to be managed more effectively. The point is that they do not have a plan in place. They cannot

close beds and lay off workers in a piecemeal fashion. The majority of the jobs cut will be in critically needed nursing positions.

The integrity of our system is at risk because we have no clear direction from this government. In fact, the Minister of Health told the district health councils in a letter recently that she is looking to them for leadership. I ask the Deputy Premier, what message does this send out when the Minister of Health is shirking her responsibilities and failing to provide the necessary leadership?

Hon Mr Laughren: When I think of the way in which this Minister of Health conducts herself and works with the health care system compared to the way the honorable Frank Miller used to deal with the health care system, there is no comparison; none whatsoever.

Interjections.

The Speaker: Order.

Hon Mr Laughren: I will make sure the balance of my remarks are not provocative.

I would say in a very serious way that the debate around managing the hospital system cannot be conducted simply between the Minister of Health and the OHA. There are other major players in the delivery of health care in this province, including the people who work in the hospitals, the district health councils and the communities in which the hospitals are located.

We are not going back to the old days when the Minister of Health and the OHA simply locked horns to resolve their differences. We live in a different era, a more consultative, collaborative era, and we are not going to go back to the old way of managing the health care system.

SNOW REMOVAL

Mr Mancini: My question is for the Minister of Transportation. Less than two weeks ago, during the estimates debate of the Ministry of Transportation, he assured me that public safety was at the top of his priority list.

Yesterday I spoke to Hector C. King, president of the Armstrong Metis Association. Mr King had called to complain about a situation that developed last Thursday and Friday due to heavy snowfall and, I should say, little or no snow removal by the ministry. Highway 527 between Thunder Bay and Armstrong was left in a deplorable condition.

A regular bus service leaving Thunder Bay on Friday, November 1, at 5:30 pm and scheduled to arrive in Armstrong at 9 pm did not arrive until 3:30 pm the following day, 18½ hours behind schedule. Why was there no snow removal service on this important northern highway? Does this represent the public safety the minister promised us two weeks ago?

Hon Mr Pouliot: The member is quite right. The unreasonable snowstorm that struck Minnesota and Manitoba with a vengeance, the one that originated in western Canada, left fully 95% of the Trans-Canada Highway closed in the month of October.

The member is talking about Armstrong. The riding I represent—and I have an interest here—is 114,000 square miles and extends all the way to Hudson Bay. I have been in Manitouwadge for 26 years and I never blamed the

government of the day, be it the Conservatives or the Liberals. I am more aware than anyone else that safety, maintenance, road conditions and a lifeline for the people of the north—of all Ontario—are extremely important components for the Ministry of Transportation. We mean what we say. We do the best under very difficult circumstances when we have two to three feet of snow in October.

Mr Mancini: We were not interested in a weather report about Minnesota. We wanted to know about Thunder Bay to Armstrong.

I spoke with the manager of the bus line and he told me this was the first time in his six years with the bus company that a serious delay had occurred due to the ministry's failure to remove snow on Highway 527. I am talking about a near tragedy in the minister's own riding. I am told that travellers on the bus included two pregnant women and six children under the age of six.

We need to know why the snowplows were not out on Friday, November 1, clearing Highway 527, and why the snowplows did not leave their yards in Armstrong until 9 am Saturday morning. Is this an indication of what we can expect for the rest of this winter? Can the minister tell the Legislature if there have been cuts in the snow removal service for northern Ontario?

Hon Mr Pouliot: I thank the member for his sincere concern regarding not only the riding of Lake Nipigon but all of Ontario. The commitment is there. There has been no curtailment, no cutback in terms of maintenance.

Interjections.

Hon Mr Pouliot: The member has asked me a question; he should have the decency to let me answer. We will do it together. The member should try to be positive for a change; maybe he will like it. Maybe he will find it becoming.

What we have here is a budget that allocates more money than ever before for the building of roads and the maintenance of these roads all across Ontario: \$1.1 billion out of a capital budget of \$1.9 billion in highway transfer payments to municipalities in maintenance of our roads. We are determined to keep up with the elements and we are doing the very best we can. In fact, jurisdictions across Canada come to Ontario, look at our management system and try to implement our system in compliance with their own jurisdictions.

1440

TOBACCO GROWERS

Mr Villeneuve: My question is of the Minister of Agriculture and Food. I am sure the minister is aware of the rumours of a tobacco control board. The same as an LCBO, we will now have a TCBO, and it is creating a lot of anxiety for our tobacco growers.

The government collects more than \$1 billion a year in taxes on tobacco sales but is doing literally nothing to protect and assist our tobacco farmers. The joint federal-provincial Redux program was supposed to help tobacco growers take land out of production, yet we hear from the tobacco growers that \$14 million of federal money is still there, unused, because the provincial government has abandoned that program. Is it really NDP policy to shut

down the entire tobacco growing industry and also the tobacco retailing industry? What has happened to the crop transition team that was helping tobacco farmers a few years ago?

Hon Mr Buchanan: Is there no limit on the number of questions the member can roll into one question? I should have been writing them down, because I have forgotten the one he started with.

In terms of supporting the tobacco industry and the tobacco farmers in particular in this province, this government is concerned, and there are ongoing discussions with our federal counterparts and with the tobacco board. There are ongoing discussions, and we expect to be able to make an announcement this fall.

The member is right that there is federal money left over in the Redux program. We are aware of that. We want to make sure those moneys are made available to the farmers. We want to put in place a long-term program that will assist farmers who wish to get out of tobacco production.

In terms of some of the other points the member made about opening stores, I just ask the member to read the newspaper clipping a little more closely. The Minister of Health was quoted but did not say there was any suggestion or any idea of opening stores. She made comments about concern about tobacco consumption and dealing with that within a strategy for health but did not talk about or agree to any proposal of opening special stores.

Mr Villeneuve: The \$14 million of federal money that is idle must be used now. These people cannot even meet their financial obligations. It seems to me that any tobacco control board—and the minister says it will not happen, but there is a mixed message coming from the government—is going to really create a bootlegging industry in the tobacco business. It will encourage a lot more cross-border shopping because, as the minister knows, the purchase of tobacco products is one of the main reasons Ontarians go to the states of New York and Michigan.

The minister is endangering some 14,000 shopkeepers if indeed what the Minister of Health has said comes to fruition. Can the minister assure us today that he will aid the remaining growers in the tobacco industry by returning some of the \$14 million that is there and indeed not promote the bootlegging of tobacco products?

Hon Mr Buchanan: I would like to assure the member that we are very much concerned about the interests of tobacco farmers. I am sure the Treasurer is most concerned about any cross-border shopping or bootlegging of cigarette products in Ontario and wants to make sure that he collects all the taxes due to the province.

I believe it is actually \$15 million that is left over in the federal program. We want to make sure, again, that the farmers of Ontario get that money. We also want to be able to try and put in our share, though, to ensure that tobacco farmers can get out of the growing of tobacco and have some hope of a reasonable future in this province.

PASSENGER RAIL SERVICE

Mr Farnan: My question is to the Minister of Transportation. Cambridge is among the largest cities in Ontario—indeed, it is among the largest cities in all of

Canada—that is without any passenger rail service. It is totally unacceptable for a city the size of Cambridge to be without passenger rail service. It is a community that continues to grow. What has the minister to say to the residents of Cambridge on the issue of passenger rail service?

Hon Mr Pouliot: I thank my colleague and friend the member for Cambridge for the question. It is filled with validity. The grievance voiced by the people of Cambridge is indeed legitimate, and this is what we have done. Many communities wish to avail themselves of GO Transit service. It is a normal reaction, for the service itself is excellent. We have commissioned a study to look at all the needs of the community. The study is near completion and we are hoping to report to the Legislative Assembly of Ontario the findings of that study in rather short order.

Mr Farnan: The people of Cambridge are fed up with studies on this issue. Our request is very modest. There is a train to Guelph. We are asking that that train go on one journey in the morning and one journey in the night to Cambridge. The track is in place. The signals are in place. The station is in place. There is community support. There is a projected ridership for this. Cambridge is waiting and we want that service now.

Hon Mr Pouliot: In his unique fashion, the member for Cambridge reminds all of us of the many compelling reasons why Cambridge should have a GO Transit system.

I will make a commitment to my friend. I know he will appreciate that this administration operates in a most systematic and liberal fashion. Political expediency is not the order of the day. The member would be appalled and shocked if we go back to yesteryear and have political expediency decide who gets what. We are not going to do that.

The study is reaching its final phase. I can promise the member that before the end of the fiscal year, we will be in a better position to inform and say yes or no; yes or no because, not like these people, those are not election promises. The study will find all the compelling reasons we will acquiesce to what the member is asking for. I thank the member for his question and I would be more than willing to go and talk to him right after question period.

HEALTH CARE

Mrs Sullivan: My question is for the Deputy Premier. He knows that 2,300 people have already been laid off permanently in our hospitals and that this number will double over the next six months. He knows that beds will close in communities in which there are no alternatives, no other places for certain kinds of health service delivery, no chronic care facilities, limited or no home care facilities and no ambulatory care service that meets the needs in communities in many places in Ontario.

The Treasurer and Deputy Premier says he provides 9.5% in transfers; indeed, the operating transfers were 6% in 1996. Hospitals throughout the province are eliminating beds, they are cutting services, they are curtailing access and they are chopping jobs. I would like to know and the people of Ontario would like to know according to what premises are the hospitals to do those things? What are the standards of service that the Treasurer is requiring hospitals

provide, and what are the standards of services that people across Ontario can expect?

Mr Bradley: Good question.

Hon Mr Laughren: Yes, it is indeed a good question. Some of the specifics that the member opposite is seeking could be better coming from the Minister of Health. But I will try to respond to the member in a very general way.

I think all of us appreciate the fact that the cost of the health care system cannot continue to grow the way it has in the past. We simply cannot sustain that level of growth in the health care system unless we rationalize health care. The Minister of Health has already taken some actions such as the removal of electrolysis from OHIP and restricting out-of-province expenditures, which I think are very responsible decisions on the part of the minister.

When we talk about the hospital sector itself, I think it is terribly important that the Ministry of Health, in conjunction with the Ontario Hospital Association, the district health councils, the communities and the people who work at those hospitals, sit down and work out the best way to deliver the most essential service there is in this province. We are determined to do that in the most appropriate way possible, but I hasten to add, we simply cannot sit back and just let her rip when it comes to the escalation in the cost of the delivery of health care in the province. We simply cannot do that if we are going to control the cost of health care.

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Mrs Sullivan: It seems to me from the response of the measurer that hospitals indeed have a right to feel very concerned about what this government's view of their place is in the health care system and in the management of health care.

I would like to review, in posing my next question, some of the things that hospitals see facing them. When the agreement with the Ontario Medical Association was signed, it provided for a hierarchy that left hospitals out. Hospitals were recently, just last week, left off the distribution list for the long-term care consultative document. There have been no transition funds announced for the hospitals, which require them to deal with the risk, the questions of growth and the questions of safety in their communities.

Seventy five million dollars has been taken out of the hospital capital budget. Less than half of the moneys that were required to meet the pay equity requirements for hospitals are going to be provided. There has been no money for the nurses' settlements, nor for any additional wage increases for other employees. The hospitals have been told as of last week that district health councils will be providing the advice to the minister in relationship to hospital planning.

The Speaker: Does the member have a supplementary?

Mrs Sullivan: I have a supplementary, Mr Speaker. When over 50% of our hospitals are facing enormous deficits, the Deputy Premier cannot tell me that all the fault lies with the hospitals. He cannot tell me that all the hospitals are badly managed.

The Speaker: Would the member please place her question.

Mrs Sullivan: When will this government bring the hospitals back into the management of the health care system and provide them the funding to do so?

Hon Mr Laughren: The member opposite says the hospitals should be concerned about their plight. Of course they should be concerned; we all should be. But I think simply to walk away from the problem and say, "Whatever your deficit is, here's the money," surely is not the answer. I do not think the member opposite would come out and say that. She might imply it in her question, but I do not think she would support that kind of action either.

When it comes to the capital budget, the reduction in the capital budget that we anticipated this year was not because we are pulling back; it was simply because those expenditures would not be made this year in any case. That money was not going to be—

Mr Elston: Because you didn't approve it. Come on, Floyd.

Hon Mr Laughren: No, that is simply not the case. We announced that there was going to be \$125 million for pay equity in the broad public sector. That commitment remains. No other jurisdiction has made that commitment. As far as the nurses' settlement is concerned, we indicated to the hospitals that the nurses' settlement was to be rolled into the 9.5% increase they received in their funding.

Mrs Sullivan: Six per cent.

Hon Mr Laughren: No, the 9.5% that they received.

Finally, Mr Speaker—I can see you are getting edgy—I want to assure the member that the hospital system in this province simply must be rationalized. I understand there are 700 or 800 empty hospital beds in Metro at any given time. We need to rationalize the health care system, and we are determined to make that happen.

COURT ACTION

Mr Harnick: My question is to the Attorney General. Last week, an action was commenced under the auspices of the Canadian Jewish Congress regarding school funding. The facts in this lawsuit are not in dispute; it is purely a legal issue. Will the Attorney General refer this matter to the Court of Appeal to save expense and time for all the litigants, including the taxpayers of Ontario?

Hon Mr Hampton: I can tell the member that after some consultation with the Canadian Jewish Congress, we indicated to them that we would not be referring the matter to the Court of Appeal.

Mr Harnick: Why not? The facts are not in dispute; it is strictly a legal issue. Why is the Attorney General putting the parties, including the representatives of his ministry, through a full trial when it can be sent right to the Court of Appeal, where it is going to end up regardless of the outcome of the trial in the trial court?

Hon Mr Hampton: I can tell the honourable member that senior counsel in the civil law division and in the constitutional law division of the Ministry of the Attorney General looked at the arguments that the Canadian Jewish

Congress was advancing, and after a very thorough review, the view was that the arguments were not in any way substantially dissimilar from the arguments that were advanced in a court action, which the former government was very familiar with. Therefore, given that the arguments were substantially the same, the feeling was that there would be no benefit in referring this directly to the Court of Appeal.

NORTHERN LIBRARY SERVICES

Mr Wood: My question is to the Minister of Culture and Communications. In these tough economic times, northern communities are being hit hard. It is important to remember that they rely on their public libraries to provide free access to information and cultural resources. I understand the public library services in the north are being eroded. What is her ministry doing to counter this trend?

Hon Mrs Haslam: First off, I would like to assure my colleague that I do recognize the very special economic and geographic problems facing northern Ontario libraries. The vast majority serve communities of under 5,000 people. Many are isolated and have a small tax base and limited municipal support. The Ontario library service north, which supports northern libraries, receives \$2 million out of a total of \$7 million of the OLS budget from the ministry while serving only 8% of the population.

I have just approved a grant of \$100,000 to the OLS north to continue to buy books that will supplement the collections of very small libraries in the north. While I recognize the many issues of inequality in the north, I believe we are providing the best and most equitable library service that we can currently afford.

Mr Wood: I understand the report of the Advisory Committee on Finance Matters to the Minister of Municipal Affairs on the provincial-municipal financial relationship, otherwise known as the Ballinger-Hopcroft report, recommends the deconditionalization of grants to many municipal agencies. Those agencies include public libraries. What is the minister's position on the initiative, keeping in mind that the whole move would seriously damage public library service in the north?

Hon Mrs Haslam: The Ballinger-Hopcroft report is, as the member mentioned, an advisory report to the Minister of Municipal Affairs and does contain many sweeping recommendations that will require considerable debate. My position continues to be that the per-household grants provided by my ministry will be paid directly to library boards for the provision of library service as required under section 30 of the Public Libraries Act. I anticipate no change in this position.

POLICE SERVICES

Mr Conway: My question is for the Solicitor General. It concerns policing by the Ontario Provincial Police in my part of rural Ontario and I gather in other parts of the province as well.

On the front page of this week's Eganville Leader, which is a very well read weekly newspaper serving my county, it is reported that the Killaloe OPP detachment, which serves a very large rural section of west Renfrew

county, is now living with the following constraint, namely, police cruisers will be limited to not more than 108 kilometres per eight-hour shift. Can the minister confirm that is happening, and is he aware what that kind of constraint will mean to policing in rural Ontario?

Hon Mr Pilkey: I cannot attest to specific knowledge on that specific jurisdiction that the member raises his ear-nest concerns about. I can tell him that because of budget constraints that face the entire government, the OPP, as well as all functions within the Ministry of the Solicitor General and the Ministry of Correctional Services, have been asked to review their circumstances. I do know that Commissioner O'Grady has implemented certain operational requirements to try to comply with the budget restraint and with, I believe, a rather severe shortfall that exists within the OPP presently.

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Mr Conway: The Eganville Leader report makes very plain that the force is struggling with very real service cuts in my part of Ontario. I note that the Lindsay Daily Post on September 30, 1991, contains the following paragraph: "People in Bobcaygeon, Dunsford and Woodville have been asking for increased police presence. 'But [quoting Lindsay OPP Staff Sergeant Jack Watkins] the safety of these communities in Victoria county is being threatened by these cutbacks.'"

It is quite clear from these two references, and the provincial press is replete with several others, that the budgetary problems at the OPP are serious and palpable and are having a real and negative effect on rural communities, whether they are in Killaloe or Eganville in Renfrew county or in Bobcaygeon or Woodville in Victoria county. Is the minister aware that the public is increasingly concerned about what this is doing in terms of safety and security in these rural communities, and what particular measures does he intend to initiate to alleviate this real and significant concern?

Hon Mr Pilkey: An expenditure reduction plan has been implemented to contain costs, but without compromising the Ontario Provincial Police's ability to serve the public. As I indicated, the OPP have forecast a financial deficit for this fiscal year. It has been pressured as a result of a variety of cost increases. There are cost-cutting measures by the commissioner that he has directed. We hope they are of a temporary nature, but I am assured that none of those particular expenditure reductions will compromise the OPP's ability to serve the public in a safe and competent fashion.

PAY EQUITY

Mrs Cunningham: My question is for the Minister of Colleges and Universities. In the 1991 budget the Treasurer announced he will make available \$125 million to assist our major transfer payments on the issue of pay equity, talking about municipalities, school boards, hospitals and universities and colleges, and they are looking for these pay equity adjustments now. It is my understanding some of the institutions already have them.

Rumours are circulating that the colleges and universities will be receiving only 50% of the amount they were originally promised. Could the minister clarify in this house exactly what was promised, whether they will be getting only 50% of that, and when he will be making the transfer payments for pay equity to the colleges and universities of this province?

Hon Mr Allen: I cannot answer the final part of that question, which is to give a date at which the information will be relayed to the institutions, institution by institution, in terms of the pay equity transfer each of them will receive. I can tell the member that the original allocation in the budget of \$125 million for pay equity in the broader public sector is still in place and will be devoted entirely to that objective.

What I also must tell the member, however, is that a portion of that has been set aside for the calculation around proportional value of pay equity to apply to some sectors of employment in the broader public sector. That does mean the initial payment that will be made to the transfer partners will go ahead at a somewhat lower rate of transfer for the pay equity payment to those institutions.

Mrs Cunningham: I do not think the minister answered the question, so I am going to give him another opportunity. I have to have an answer because I have been asked to get it, and I want the minister to respond as early as he can, with numbers. I am not sure what he promised the colleges and universities. I have read three different announcements and I cannot find that number, so I need to know what was promised.

I also need to know, and I think the colleges and universities need to know, what they are probably going to get. I suppose if the minister is going to stand up in the house in the next week or two and tell them they are going to get the money, that is fine, but they have a responsibility to provide the education to our students and preplanning a budget is very important. Could the minister please tell us what he promised, whether or not the rumour is true—that is, the 50%—and if he does not want to say when, I will be happy with the answer to the first two parts.

Hon Mr Allen: The announcement will be made in some detail by the Treasurer very shortly and it is not my responsibility to give that detail. I have been asked the very same question by the member, with the same concern. What I will tell her in terms of further detail is that in addition to the 7.3% transfer announcement, there was indicated a 0.7% add-on that would relate to the pay equity transfer overall. It is not my responsibility at this point in time to make the specific announcement as to what that difference will be, but the institutions will know very shortly.

PETITIONS

OATH OF ALLEGIANCE

Mr J. Wilson: I have the pleasure of presenting a petition to the Legislature of Ontario that reads as follows:

"Whereas the Queen of Canada has long been a symbol of national unity for Canadians from all walks of life and from all ethnic backgrounds;

"Whereas the people of Canada are currently facing a constitutional crisis which could potentially result in the breakup of the federation and are in need of unifying symbols;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to restore the oath to the Queen for Ontario's police officers."

I have affixed my name to this petition and it is also signed by a number of good residents of the town of Stayner.

The Speaker: Reports by committees?

WITHDRAWAL OF BILL 149

The Speaker: Before introduction of bills, on Tuesday, November 5, the member for Parry Sound introduced a bill entitled An Act respecting the Amalgamation of Municipalities in the Districts of Nipissing and Parry Sound. It has been brought to my attention that this bill is in a unilingual format only, which is contrary to subsection 3(2) of the French Language Services Act, 1986. I must advise all honourable members that this matter contravenes section 37(d) of our standing orders in that it is in improper form. I must therefore rule that this bill is out of order and must be omitted from the order paper.

INTRODUCTION OF BILLS

LABOUR SPONSORED VENTURE CAPITAL CORPORATIONS ACT, 1991

LOI DE 1991 SUR LES CORPORATIONS À CAPITAL DE RISQUE DE TRAVAILLEURS

Ms Wark-Martyn moved first reading of Bill 150, An Act to provide for the Creation and Registration of Labour Sponsored Venture Capital Corporations to Invest in Eligible Ontario Businesses and to make certain other amendments.

M. Wark-Martyn propose la première lecture du projet de loi 150, Loi prévoyant la création et l'inscription de corporations à capital de risque de travailleurs aux fins d'investissement dans des entreprises ontariennes admissibles et apportant des modifications corrélatives.

Motion agreed to.

La motion est adoptée.

Hon Ms Wark-Martyn: This bill is an act to support labour-sponsored venture capital corporations investing in eligible Ontario businesses. This is the government's first initiative designed to deal with two important issues raised in the 1991 Ontario budget, the need to promote investment in industries to enable them to compete and grow in the Ontario market and the need to provide opportunities for workers to get involved in and initiate economic change.

The act proposes to set up the Ontario investment and worker ownership program. It has two parts: the labour-sponsored investment fund, which offers a 20% tax credit for eligible investors—this credit is based on existing federal legislation that offers investors a matching 20% federal tax credit—and the Employee Ownership Labour Sponsored Venture Capital Corp, which offers a provincial tax credit to workers investing in the corporation they

work for as part of an employee buyout plan or company restructuring.

This bill also contains certain other provisions required for administration of the act. By working together, business, labour and government will find economic solutions for Ontario. This bill is an example of this government's commitment to that goal.

Mr Stockwell: Mr Speaker, may I request unanimous consent to introduce the report from the standing committee on government agencies which was somehow omitted?

The Speaker: Do we have unanimous consent to revert to reports by committees?

Agreed to.

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REPORTS BY COMMITTEES

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mr Stockwell from the standing committee on government agencies presented the committee's 17th report.

The Speaker: Pursuant to standing order 104(g)(11), the report is deemed to be adopted by the House.

ORDERS OF THE DAY

ONTARIO MEDICAL ASSOCIATION DUES ACT, 1991

LOI DE 1991 SUR LES COTISATIONS DE L'ONTARIO MEDICAL ASSOCIATION

Resuming the adjourned debate on the motion for second reading of Bill 135, An Act to provide for the Payment of Physicians' Dues and Other Amounts to the Ontario Medical Association.

Suite du débat ajourné visant la motion de deuxième lecture du projet de loi 135, Loi prévoyant le paiement des cotisations des médecins et d'autres montants à l'Ontario Medical Association.

Mrs Marland: I am happy to have a further opportunity to complete the comments I was in the process of making yesterday afternoon on Bill 135, An Act to provide for the Payment of Physicians' Dues and Other Amounts to the Ontario Medical Association. When I was talking yesterday, I was saying to my colleagues in this House that I hope they remain healthy, because as long as they are healthy and do not need the health care system, the impact of what is going on today with the health care system will never touch them; but should they need the health care system, then they will realize in a personal way exactly what is going on in Ontario today.

Yesterday, when we were talking about Bill 135, we were talking about the government collecting dues for physicians in this province to belong to the Ontario Medical Association. We also were making very clear the fact that now the Ontario Medical Association is nothing more or less than a union. This professional association has become unionized, with the right to arbitrate what its fees will be for services. We recognize it is all part of this famous agreement that was signed in May of this year between the Ontario government and the Ontario Medical Association.

One of the things I tried to address yesterday was the very real concern I have for the fact that all this is on the surface and nobody really realizes what the impact is going to be underneath. One of the examples of the impact is contained in a letter I wish to read into the record. What all of us are concerned about in this province is not only the quality of health care but also the cost of health care and this letter very clearly gives an example of one specialty where the cost of health care will increase because of this legislation and the part it forms of the total agreement between the OMA and the government.

The letter is on the letterhead of the Rudd Clinic and is dated July 19, 1991. Interestingly enough, the letter is addressed to Dr Tom Dixon, chairman of the board of the Ontario Medical Association:

"Dear Dr Dixon:

"I would like to present the following reasons why and also my colleagues at the Rudd Clinic should be exempt from the threshold limits.

"I understand that your main reason for exempting doctors or groups is in cases of specialties where there are insufficient doctors to service the community, where the service is unique and where under-serviced areas are taken care of.

"I would think that other very important considerations to government should be whether maintaining the status quo saves the taxpayer money and still maintains the quality of service with equal availability to all.

"First, our clinic certainly is unique. We have five colorectal surgeons who do nothing else but colorectal surgical procedures. There is no other clinic like this in Canada. Because of the way we are set up, with our equipment and experience, we are able to do a lot of procedures in the clinic which almost all other surgeons do in the hospital.

"As evidence of this, we service approximately 3,000 referring doctors, who refer patients from all parts of the province and from every university centre and hospital in Toronto.

"We have made great efforts to teach our techniques to others, but it is hard to duplicate our results without our extensive equipment and well-trained staff; hence, our clinic remains unique.

"There are only a few colorectal surgeons in Canada let alone Ontario. This is not enough by a long way. There is little chance for many more colorectal surgeons in the future as there is no significant university training program in Canada. We are an underserved specialty. We cannot afford to lose any colorectal surgeons.

"Second, we service all Ontario, including the underserved areas of Ontario—especially the north—Kapusking, North Bay, Thunder Bay, etc. We see many patients from Ottawa to Sault Ste Marie.

"Third, we have saved government many, many tens of millions of dollars. We do many surgical procedures in the clinic which normally are done in the hospital (eg, anal haemorrhoids, fissures, anal lesions, most fistulae and colonoscopies and polypectomies). In the large number of patients we have treated just for one of these (eg, haemorrhoids) we have saved the government over \$30 million by keeping the patients out of hospital and working. This figure

increases proportionately when all the other techniques (and especially colonoscopy) are included since all of these are done in our clinic and out of hospital. The savings to government in hospital beds alone is staggering and must be an important consideration to government and taxpayer and voter.

"There is no question but that if I and my colleagues were subjected to threshold limits, we would see fewer patients, have the rest seen by less experienced doctors and the whole effect would be inferior-quality care for many of the patients who come from all over Ontario to benefit from the expertise in our specialized clinic. We don't mind contributing to our high overhead because we want the best equipment, etc, for our patients; it does give the best results. It does not seem logical or desirable to penalize those who are helping keep the quality of medicine high, for which Ontario can be proud.

"We are unique. We are in a specialty which has very few specialists, and we see many patients from underserved communities in Ontario. We save government huge amounts of money and have a very large, loyal and happy group of patients who appreciate our work. They are taxpayers and voters. I hope we will be allowed to continue this service.

"If there are other considerations you wish me to address, please let me know.

"I hope you will look favourably on my request to exempt myself and my colleagues at the Rudd Clinic.

"Yours sincerely,

"W. W. H. Rudd, MD, FRCS (C), FACS."

That is a very significant letter, and it is only one area of specialty. This specialist is trying to say that his particular practice of medicine for the health care of his patients in this province is unique. While it is unique, it is saving the government, and therefore the taxpayers of this province, millions of dollars. The alternative to his practice is that patients are hospitalized and they lose time from their places of employment. So we not only have people away from their places of employment; we have the daily cost of their being in hospital.

This practice is one of those being addressed in the new agreement between the OMA and the government of Ontario. The people in his practice are included in Bill 135, which is before us today. They are very special physicians who now will have their Ontario Medical Association dues taken out of their billings. I do not think that was necessary for these particular doctors. I think they were more than happy, as most of the doctors in this province were, to pay their own professional association dues, just as I am quite confident that most of the doctors in this province were quite happy to pay their own malpractice insurance. Physicians and surgeons around this province have been paying their own malpractice insurance for a very long time. They accept that as a cost of doing business.

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Interjection.

Mrs Marland: Mr Speaker, every time I speak in this House, the member for Yorkview interjects, and I take strong exception to it. If he wishes to make a contribution

to this debate, he should arrange with his whip to get on his own speaking roster.

The Speaker: Indeed, the member for Yorkview should know that interjections are out of order. Of course it will be helpful if those who are speaking address their remarks to the Chair.

Mrs Marland: Thank you, Mr Speaker. I will address my remarks to you.

What is happening here is a big game. It is a game being played at the expense of the health of the people who live in this province when we say to doctors: "We're going to control you. We're now going to unionize you. We're now going to force your professional association to come to the bargaining table with us, the socialist government, because that way we can control how much you earn."

I thought we lived in Ontario, in the free country of Canada. I did not really think we were going to regress into pure socialism, the like of which has now been discontinued in eastern European countries.

What has happened with Bill 135, as part of the overall agreement the physicians of this province have been forced into, is that they are now part of a union. The irony is that when the physicians of this province were young men and women deciding what they wanted to do with their careers and their lives in terms of a vocation, I am sure, like all of us, they looked at many options for employment. Those who chose medicine did not choose the practice of medicine to become members of a union. They chose the practice of medicine in order to maintain the health of people. They chose the practice of medicine because they wished to serve in the most human way possible, which is to help people live healthy lives, help people regain health if they are in poor health, perform surgical procedures to correct problems people have that are able to be remedied with surgical procedures.

Whatever area of practice of medicine these young men and women chose when they entered that profession, it was because they wanted to serve the public in that capacity. They are not business people, for the most part. I think any doctor in this province will tell us that if they had wanted to be business people, they would have gone into a business field. They chose medicine because they wanted to serve that basic human need directly with their patients, that of preserving and recovering good health.

But the way doctors have been treated in this province has now resulted in their all giving up. They have been pushed so far by the governments of this province that they say: "What's the use? We might as well tell our professional association"—the Ontario Medical Association—"to bargain the best deal it can with the government, because we're now unionized government employees."

We are killing the very essence of their professional ethic by treating them the way we do. If the government does not care about doctors, that is fine. But I care about people, and I care about the people of this province who will end up paying the penalty for the way we have treated our doctors, our specialists and our physicians in this province.

I remember standing in this House during that lengthy debate on Bill 94 in December 1986, when I talked about children in my riding who needed very special surgery on their faces and on their heads. One of the best specialists at that time was just in the process of leaving the Hospital for Sick Children in Toronto to go and practise in Houston, Texas. Ironically, one of the reasons he was leaving was because he was being so controlled here by that legislation that he would not be allowed to practise the number of hours that he wanted to. He would not be allowed to serve those patients to the extent that he wanted to.

Mr White: He came back.

Mrs Marland: He did not have that freedom. Because of that he decided, "What's the point?" He would move to Houston, Texas, where he could work whatever hours he wanted.

Mr White: Why did he come back?

The Acting Speaker (Mr Farnan): Order. The member for Durham Centre contributes nothing to the process of this House with this kind of interjection. Please give the floor to the speaker.

Mrs Marland: I appreciate that, Mr Speaker. Thank you.

This individual surgeon wanted to dedicate his life to his very special surgery. I am talking about children who are born with tremendous deformities. Through his expertise, his particular dedication and his skill, and all the investment that he had made of his life to obtain that level of ability, he was able to operate on these young babies and young children to give them an opportunity to live normal lives.

Because of what was happening to him in Ontario, because of the attitude that doctors are not any different from anybody else—we must control them and now ultimately we must unionize them—we have lost hundreds of our specialists. I am just giving that doctor as an example.

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We are now losing those specialists who had been teachers in our university hospitals. Why would they bother trying to teach medicine when the practice of medicine in Ontario has become, in the mind, thinking and philosophy of this socialist government, nothing more or less than people who work on a shop floor in a factory? The people who choose the practice of medicine for their career and profession are the people each one of us will be looking for if that need has to be met personally or by a member of our family.

I know very well that when we need that specialized kind of health care, none of us wants to settle for anyone but the best. We only have one chance at life, and life itself is so fragile that when we start to lose our health, we want the best health care possible. We are saying to the physicians and specialists of this province that we are going to treat them like any other unionized group. We are going to tell them how much they can earn, regardless of how much it costs them to practise.

Dr Rudd, whose letter I read into the record a few moments ago, spends millions of dollars on his specialized fibre optic equipment. That is his own capital cost; that is

how he chooses to practise. While he is practising and able to give that service to his patients, he is saving the taxpayers money because he is keeping them out of the hospital. Otherwise, that procedure would be done in the hospital.

Now we are saying to them that we are going to take their Ontario Medical Association dues out of the billing we receive from them. It is almost as though the government does not trust the physicians. Is it such a big deal that the government has to control them by saying one of the things we have to do is make sure we get those OMA dues in? It is something like \$1,000 per physician. I would really like to know how many physicians in this province refuse to pay their \$1,000, but it is such a big deal that we are in this House today discussing a piece of legislation that is an insult to the medical practitioners in this province.

More than that, it is an insult to all those people in the province today who are suffering all kinds of emergency situations, whether we are talking about housing, food or jobs—all the things this socialist government is always yelling about. They are always saying we must help the workers and save the jobs. What are we doing today? We are dealing with a piece of legislation that has a system of collecting dues to the Ontario Medical Association from the physicians of this province.

Is this a priority of the government? In November 1991, when people are without food, homes and jobs and we have an economy in a recession, the only thing this government can come up with for a piece of legislation before this House is a bill dealing with collecting professional dues from doctors. Is that the priority of the government?

I simply place the question, because the answer is very obvious. The irony goes even further because, as I think I mentioned yesterday, even though it is compulsory that these dues and assessments come from all practising physicians, it is not compulsory that they are members of the association. It is only compulsory that the government collect the money. It is voluntary whether those physicians are actually members of the Ontario Medical Association.

It is depressing when we try to understand what it is that this socialist government wants out of the doctors and the health care providers of this province. We have invested millions of dollars building our hospitals, building additions to our hospitals and building new hospitals in remote areas. While we have made this tremendous capital investment over the years in this province, this government is saying it is okay for hospitals to close hospital beds and have nurses out of work and patients waiting on stretchers in hallways because there are no beds for them. We are dealing with this situation on a daily basis, and I can give the minister names of patients in my riding who cannot access the health care they need because the hospital has just made another cutback.

We talked about 250 beds last week at the Toronto Hospital. We had 30 beds in the Mississauga Hospital two weeks before that. Psychiatric patients are unable to access the kind of in-hospital care they need because there are no beds for them.

We heard yesterday from the Minister of Health when she answered the question about the request for the new

rug for schizophrenic patients. We heard that they are looking at it but they have not decided yet and she mentioned something about cost. If somebody can be kept out of hospital by paying for his drugs, does it not make sense to spend the money on the drugs rather than have him hospitalized at the daily cost of a hospital bed?

Here we are with all these problems, yet today we are discussing who will collect the dues for the OMA on behalf of the physicians in this province. To say it is okay to treat the physicians as employees of the government, to say it is okay that they are unionized, I suggest, is handing the responsibility of health care in this province to an unknown quantity.

If we are going to say they can have binding arbitration in the future in the settlement of what those professional fees will be for medical services in this province, then we are saying this government really does not care, because it will not have that responsibility. There will be an arbitrator somewhere who will decide what medical services are worth in this province. That is a black day for Ontario, Mr. Speaker, because you and I will decide what health care services are worth in this province when we need them.

The way we are treating the medical profession through this agreement between the government and the Ontario Medical Association is unacceptable; it is deplorable. When people say, "The Ontario Medical Association signed this, they agreed to it," of course they agreed to it—they were pushed to the wall. They had no other choice at this point.

When you cap the income of physicians and specialists at an arbitrary amount, regardless of what their overhead is, then we really are dealing with something with blinkers on. When government members look at an operation like the Rudd Clinic and say its billings will be capped at \$400,000 and they do not care whether it costs them \$250,000, \$300,000 or \$350,000 a year to operate—I have no idea what the figures are, but by the equipment it has, government members know there is a tremendous investment and cost of operation. But if we do not care about that we say, "Okay, the billing is still limited at \$400,000." As I said yesterday, we thought it was okay to pay the chairman of Ontario Hydro \$400,000, or even \$230,000 or whatever his new, revised figure is, and he does not have any overhead at all. Where is the comparison? Where is the logic? Where is the fairness? There is none.

If I was a young person today I would think twice about entering the practice of medicine in this province. Why would I invest 10 or 12 years of my life going to school to be a medical specialist in surgery or psychiatry, whatever area, and then have the government control my income? We do not do it with anybody else—or is that what is coming? Is that what is going to happen next, that we are going to control all the other professions?

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Perhaps Bill 135 is only the beginning of the written enforcement of the philosophy of this socialist government. Maybe their plan is to unionize all the professions in this province and control what everybody earns. Maybe that is the road we are now on. If it is, then we are going to see a very large exodus of professionals from this prov-

ince, from many professions, not only the practice of medicine. If they are saying as a socialist government, "We're going to control everything you do because we're paying your salaries. We're not going to pay you too much; we're going to cap it at this amount," then the only people who lose are the patients and the people of this province.

Members had better get sick in the first half of the year, the first two thirds of the year or however long it takes for those individual practitioners to meet that \$400,000 in their billing, because when they meet that \$400,000 in their billing and their overhead may be \$300,000, why would they continue practising that year? Members had better make sure they are not looking for a specialist in the latter part of the year with the kind of legislation that is coming down.

Bill 135 is in my opinion the tip of the iceberg when we start forcing one group of professionals in this province to pay their professional association dues through the billings they send to the province. People do not understand that doctors get paid by the government only. Doctors do not have any other source of income from the practice of medicine except from the government. People do not understand that today. They today do not understand that the government has made doctors in all specialties and all practice of medicine government employees, civil servants, whatever word members want to use to describe them. That is what they are.

Now we are saying, "We don't even trust you to pay your professional association dues, so we're going to take them out of your salary." I do not think the majority of physicians in this province realize the significance of this legislation. Do members know why? The majority of physicians in this province are so dedicated and so committed to the profession they have chosen that they spend all their time looking after sick people. They are not up to all these games and pieces of legislation that come from this socialist government. They do not have time for that. They are saving lives and looking after sick people. They do not have time to get into the gamesmanship that has been going on with this socialist government and the Ontario Medical Association. They will not find out until they have done their billings that their OMA fees are now deducted. They did not have a problem paying them themselves anyway. That is the issue.

I do not think there is any point in continuing this debate on this unnecessary bill any further. The socialist members in this House could not care less. The fact remains that Bill 135 is only the beginning of the end. As we deal with each piece of legislation that comes through, it further penalizes health care in this province by pointing a finger at one group that forms a percentage of the overall cost of health care and says: "It is those rotten doctors that drive the cost of medicine in this province. That's why we've got to control them and that's why we've got to cap them."

Why do we not let them continue paying their professional dues? Why do we not let them continue paying their own malpractice insurance? That is not a problem for them. Instead of that, we are going to say, "You can only

practise so much at such and such a rate, and then after that we control you." It is a very sad day.

Mr Sutherland: It is a pleasure for me to respond to the member for Mississauga South. The member is somehow implying that there is something wrong with a majority of a group deciding that they want to pay membership fees to an organization, namely, the OMA. The member has tried to imply somehow that this deal was coerced upon the doctors. As we know, the doctors voted in a democratic election where they had the opportunity to participate. Those who wanted to participate did so and they ratified this deal. The doctors did not have to ratify this deal. Their representatives did not have to negotiate it either. So I find that a little bit disturbing.

The member for Mississauga South also talked about doctors who are in teaching hospitals and leaving this province and going to other provinces. I want to remind her that the reason many of those doctors are leaving is not the most recent deal. The reason many of those doctors are leaving is that our post-secondary education system has been seriously underfunded, starting in 1977-78 when her party was in power.

I also want to say that I know many of the doctors—one of my former roommates from university is in medical school—are very dedicated and caring individuals and are very concerned about health care. There is no doubt about that and I do not think anyone questions that.

I will wait to see the next time a member of the third party decides to get up and rail at this government about the high cost of expenses and talk about the deficit. We will see whether the member for Mississauga South will be one of those people up talking about the deficit at the same time as this government is working on curbing health care costs.

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Mr Frankford: The member for Mississauga South said physicians are going to be pushed to the wall, while I think the Liberals say the physicians are being wrestled to the ceiling. I hope the members on the opposite side will get their act together and decide where we actually are.

We have heard some extraordinary statements about health care from the last speaker. I am really not clear what her position is on universal medicare. I thought her party was for it. I believe the federal party actually supported the Canada Health Act. Clearly it is something that is coming in all over. I think it is a nice opportunity to recognize the wise decision of the voters of Pennsylvania yesterday when they elected a Democratic senator who took a very strong pro-universal medicare position. This follows on the election to Congress of a socialist from Vermont in the elections last year.

The industrialized world is moving in that direction, and I am sure the people who feel they are moving to greener, free-enterprise pastures, which are not that free whatever the member for Mississauga South may imply, are going to be disappointed. In fact, those who emigrate find themselves in a very restricted system.

I really should concentrate on this bill. It is a simple piece of legislation that is part of the thrust to a rational

health care system which we need and which can improve on what we have right now.

Mr Bradley: I was wondering, with the money that will take to implement this act—there is always some expense that will take place—whether there will be any money left in the budget of the Ministry of Health for a second CAT scanner for the Niagara region. I look at what the member has said and I know she is very concerned about that. I thought that when she addressed her remarks to this bill, she would look at the potential negative implications of it as they relate to other expenditures within the ministry.

I know that in her area the member is concerned about these matters. I know my colleagues from the Niagara Peninsula are very concerned about these matters and are probably wondering, as well, will the implications of this bill mean that there cannot be a second or third CAT scanner in the Niagara region when people are waiting five or six months to use one, when up in York region at night the dogs and cats can get a CAT scan?

These are the concerns I have. I know the member for Mississauga South, if she had had the time—she did not want to take the entire afternoon—would probably have asked the very same question I have asked. I am sure that in Cambridge they are probably in the streets talking about the fact that there is not a second CAT scanner permitted in the Niagara region, even though it would not cost the Ministry of Health very much money at all. It requires the individual hospitals to foot the cost and the public to raise the capital cost.

I simply raise that. I know the member did not have the time to address that issue and I was pleased to be able to address it myself this afternoon.

Mr Bisson: I listened intently both yesterday and this afternoon in the House to the comments by the member from the third party, the member for Mississauga South. I want to touch on one thing she touched on. I tried to listen to her really well. If there were a coherent message in what she was saying when she kept on embroidering a tapestry, I guess of—I am not going to use the word because it would be unparliamentary, but it was not quite the way it should be.

One of the very strong points she made was that this government was wasting the time—

Mr White: What tapestry? He has lost the thread.

The Acting Speaker: Order. I would ask the member not to leave the House. On several occasions the member for Durham Centre has used the opportunity of exiting the House to make interjections. It is totally unacceptable. We would appreciate it if you cut it out of the process.

Mr White: Mr Speaker, I have not left the House since this afternoon—

The Acting Speaker: Order.

Mr Bisson: I have lost about 20 seconds on the clock. I hope I can get it at the end.

The point she was making was that the government was wasting the legislative time of the House by introducing Bill 135. I took the liberty of going back and taking a look at the last recession we had in Ontario, which was in

1981. I remind members of this House—they do not need to be reminded—that it was a Conservative government that was here at the time. I looked at some of the bills that were before the House in any one week within the month of June. I will just read a few to you, Mr Speaker: the City of Ottawa Road Closing Act, the County Courts Amendment Act, the Executive Council Amendment Act, the George R. Gardiner Museum of Ceramic Art Act, the Legislative Assembly Act, the Liquor Licence Amendment Act, the Live Stock Branding Amendment Act—the list goes on.

The member says we are wasting time speaking about something that is as important as Bill 135 in regard to the health care system. I just point out that when they were in government it was no different. There are acts that you must bring to the House. This is an important piece of legislation and I ask for all the members to support this because it does mean the future of our OHIP system.

Mrs Marland: In response to the member for Oxford who talked about why the doctors were happy to sign this agreement with his socialist government, it is pretty hard to disagree when you have your hands tied behind your back. The doctors settled with this agreement because they had no choice. It was the best they could possibly get for the kind of bargaining they were into. When he talks about the deficit, yes, I will stand up in this House and criticize this deficit, and yes, I will refer to the deficit when we are talking about this kind of legislation because this legislation is going to end up costing us more money because of the way it treats the practice of medicine in this province.

If the member for Oxford did not hear what I was saying, then he could not have been listening. The examples I gave were procedures that one specialist can do that have millions of dollars because they are done in his clinic and not in the hospital. If that is too complicated for him, then there is nothing I can do about it.

As for the member for Scarborough East, who is not in the House at the moment but who was here a moment ago to respond to me, what can I say about him? He is a physician and I think he should be embarrassed to stand in this House and defend this bill or any other of the directions of his socialist government in the way it is treating the health care providers in this province.

Yes, I say to the member for St Catharines, I do have a lot—

The Acting Speaker: Order, please. Please address your remarks through the Chair.

Mrs Marland: Through you, Mr Speaker, I do have a lot more questions and a lot more comments I would have liked to have made today, but being the excellent Speaker you are, I knew you would not let me speak about anything else but Bill 135. That is why I kept very close to it. I simply say that if the member for Cochrane South has nothing better to do than stand up and list a whole lot of 10-year-old bills, then I feel sorry for him too.

Mr Bisson: I am just going to take a couple of minutes. I am not going to go on at great length for a couple of hours such as the previous speaker has taken—within her rights, I must add.

Bill 135 comes down to a couple of very essential points. One of those points is that it is a fact—the member for Mississauga South would not recognize it—that part of the health care cost is the payment of doctors. Every time somebody is sick he or she is treated by a doctor. That obviously has an extreme amount of cost, one that comes to the health care system. If we want to ensure that in the long run we have the dollars necessary to be able to fund the medical care system that Ontarians have grown very fond of over the years, along with other people across the country who enjoy the same kind of benefits in other provinces or territories, I think they would not only ask but would demand governments to be very judicious when it comes to being able to deal with the amount of money we are spending in our medical care system to ensure that in the long run the system is there and that we protect it.

Really, that is what this bill is all about. Back, I think it was, in 1985 doctors felt they wanted to have the ability to be able to bill above the OHIP guidelines. There was the whole extra-billing issue. I understand that. Like anybody else in this province who works for a living, I would always want to be able to get a little bit more for the services we give. But what they were doing at the time was attempting to extract more money from the public than is possible. The government of the day, I think, made the right decision.

Bill 135 basically makes sure that we have a better process by which we can negotiate with our doctors so that at the end we can ensure the dollars are there to be able to not only pay the doctors but pay our nurses, to pay towards the budgets of hospitals or health councils and all the other services that are necessary to deliver the fine health care system we are used to in this province.

The other question that has been raised in debate and that my honourable friend who is just leaving the House, the member for Mississauga South, mentioned is that she has seen this as some sort of bill that speaks to trade unionism, that basically entrenches the right of trade unionism or collective bargaining for doctors.

I do not think that is quite the situation, but the only point I would make is that there is nothing wrong with collective bargaining. Collective bargaining has been part of the democratic process of the nations of the free world for a long time. Why? That system was brought in so that you can bring people together to negotiate with their employer, whoever that employer may be, to get a fair remuneration for the work they do.

What Bill 135 does, very simply, is it makes sure that those doctors who are practising medicine within the province pay their dues to their association. Presently, there is roughly 10% of doctors practising medicine in Ontario who enjoy all the privileges of that association and do not pay their dues. All the bill does is to say, "Listen, if you're going to practise medicine within the province of Ontario and you're going to enjoy the privileges given by your medical association, you should pay those dues."

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That was part of a position, I think, that the doctors wanted when they brought to the bargaining table their representatives to make sure that all the doctors within the

province pay, and not have a system by which I will not pay, as one doctor, and enjoy all the benefits without having to pay those dues. I think that is something that is quite right, and I think it speaks to the whole question of what it is to work as an association. The more members we have in our association, participating, paying into the membership, the better the job the association will be able to do to have the dollars necessary to service its members.

I think in the long run the additional 10% of doctors paying into the medical association would only provide a better service, not only to the doctors, but I would dare say also for the public they serve.

The other point I just want to get to very quickly is the whole question of the usage in the House with regard to what pieces of legislation we bring to it. I did not get too much of a chance, Mr Speaker, because you were ruling on a matter that was somewhat out of order, and I tend to agree. The whole question is what the member was talking about, that she did not want to see Bill 135 come forward. Why? Because she felt we would be able to deal with more important issues, as she had put it, for the people of this province. Clearly, there are a number of issues that we need to deal with in this province, many of which, if we all had a lifetime, we would never be able to get to.

Bill 135 is an integral part of what this economy is all about. Health care represents the largest expenditure the province spends at any one time, within any one ministry. I think, just roughly, somewhere around \$17 billion to \$18 billion out of our \$50-billion budget goes to health care.

It would seem to me a member who purports to represent the right wing, or the capitalists, as she likes to call herself, would be concerned that we have some opportunity of being able to manage that system. Certainly if I am in the private sector, I am not going to allow a department within my company to run uncontrolled, so that I do not have any say or any control over what is being spent. That is not directly what this bill is doing altogether, but that is what this government is attempting to do through legislation such as this: to put in some good management practices within the particular ministries or within particular services the government offers so that we make sure we have the best use for our dollar.

More specifically, when she talked about the types of bills we are dealing with, yes, we are dealing with a number of bills that are very central to what is happening within the economy of Ontario, but as I say, it is an essential part of what we are doing.

I wonder if I am straying away a little bit from the topic. I am looking at you, Mr Speaker, for direction.

The Acting Speaker: It would be very easy for you to get back on topic, I suggest to you.

Mr Bisson: I let myself go to your indulgence. The point is that in order to be able to make sure we have the money necessary to provide not only health care but all the other services in this province that people have come to expect of their governments, it is very essential that the government put together a good management strategy. Then that strategy will be put together, as well as a good plan to make sure we can get the biggest bang for our

dollar with the money we get from the taxpayers of this province. That is what Bill 135 is about. It is simply that.

If a member of the opposition is going to say we should not do these things because they infringe on the rights of doctors, well, I am sorry. Everybody within society has responsibilities and we as members of our society have to live up to those responsibilities one way or another.

I have taken 10 minutes on the clock. With that, I will leave the time to other members.

Mr Mammoliti: I must commend my colleague the member for Cochrane South. I agree with most everything he said in terms of Bill 135. However, I cannot understand the member for Mississauga South, who spoke just before him and basically criticized the doctors.

The Acting Speaker: Order, please. Your comments are directed to the speech that was given by the member for Cochrane South, not the member for Mississauga South.

Mr Mammoliti: Yes, I understand that.

In his speech, the member talked a little bit about the doctors, and I got the impression that he meant to say it was a democratic procedure. Being pushed to the wall, as the member for Mississauga South said earlier, is just not the case. I cannot see it being that way. I cannot see it in terms of democracy and what it is all about. In this particular case, that is what it is: democracy. I tend to agree with my colleague the member for Cochrane South when he says democracy is where it is at.

In terms of his views on unions, I tend to agree with him as well. The difference between us and the speaker before him is that we believe unions are where it is at. I certainly believe that. I feel the member for Mississauga South insulted the doctors when they said they belonged to the union. If anything, the union will bring them together and it will be a united front, an understanding of all. That is what unions do. So I would have to agree with my colleague when he talks about unions.

Frankly, I am sticking up for the physicians, because I believe they are here for care.

Mr Conway: I would like to take some time this afternoon to join the debate on Bill 135 and to make some comments about what I think is a very important piece of legislation, not just for the government, not just for the Ontario Medical Association, but for this Legislature and a lot of other interested parties who particularly relate to the government of Ontario in some kind of pecuniary way.

I was not here yesterday to hear the minister's opening statement, although I have taken the time today to look at the transcript of yesterday's legislative debate, and I found what she said quite interesting. Basically, she spoke for what looks like about 45 seconds and had four paragraphs worth of commentary. I think that is probably a good guide for some of the rest of us, but it is also illustrative of how pleased this government must be to see this agreement.

I want to quote the minister's remarks of yesterday, November 5, speaking to Bill 135: "The proposed legislation flows directly from the agreement signed with the Ontario Medical Association"—and the government of Ontario—"earlier this year." I think any understanding of

Bill 135 must be put in the context of that framework agreement which the new government signed in May of this year and to which the minister made reference in her statement to this Legislature on May 6, 1991.

I want to begin my remarks this afternoon by just looking back over the last few years at some of the relationships various governments have had with the Ontario Medical Association. It is no secret that the relationship between that government of which I was a part and the Ontario Medical Association was not very good. In fact, it was hostile and very bad on those occasions in 1986 and 1987. I make my observations as well on the basis of having served as the Liberal Party critic for Health in the period from 1977 through 1982. I must say, I never thought I would see the day when we would have a government and a medical association voluntarily committing each other to what we have in Bill 135. In that respect I congratulate the new government, because it has been able to come to an arrangement that other governments were unable neither to contemplate nor to fashion.

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I well remember those days years ago when, in a wonderfully stentorian voice, Stephen Lewis would rail at Dick Potter and Frank Miller, and even Bette Stephenson for a few weeks 10, 12 or 15 years ago. He would say, "Minister, why don't you come clean and recognize what you're dealing with? What you're dealing with in the Ontario Medical Association is the most powerful, the most well-financed and the most highly respected labour or trade union in the land." Ministers of Health and Tory colleagues, and I dare say a few Liberals as well, just covered the face of that Niagara of analysis offered by the great Stephen Lewis. It is too bad Stephen Lewis is not here today to celebrate this occasion, because he has been proven right, as he has been elsewhere.

What I would not have imagined, however, is that the day would come when organized medicine would genuflect before not just the public will but an NDP government and voluntarily subscribe to Bill 135. I do not think Stephen Lewis imagined that day would come either, certainly not in his lifetime. Here now, 13 years after Stephen Lewis left this place, he has been proven right in more ways than he might imagine, and I just want to make that observation.

When I read Bill 135 I fantasize, as I rarely do, about what Bette Stephenson must be thinking, what Joan Charbonneau must be saying.

Interjection.

Mr Conway: I say to my friend from Orono, the government is looking for new energy sources. I recommend the following alternative. I think there is a very real alternative built into Bill 135. I suspect we could displace most of the electrical energy of Darlington if we could somehow harness the rage that people like Bette Stephenson and Joan Charbonneau, representing those independent physicians, must feel about Bill 135.

For any members who served here with the former member from York Mills, the redoubtable Dr Stephenson, ask them to reflect on what she must now feel to be

legislated into a union. I see some very learned, bespectacled faces underneath the press gallery representing the public service and they have served several governments with distinction. If no one else, at least two of those gentlemen over there will know of what I speak.

I will remember that night in 1986, because the member for Mississauga South referred to it, when the Peterson government with the support of the NDP passed Bill 94, was it? I have a great deal of regard for Dr Stephenson. I do not think anyone here fought with her quite as often as I did, but I will remember that night when for the first and only time in my legislative career I feared for her health, because again, to use another analogy from the energy world, I thought we were going to experience, on this legislative floor, a meltdown. I thought she was literally going to melt down in rage over Bill 94.

I say to my friends in the third party, ably represented by the Acting Speaker, what Dr Stephenson must feel. I would say to my friend the member for S-D-G & East Grenville that it would be interesting to send a copy of Bill 135 with affection to the former member for York Mills, just to see what kind of return post one might receive.

This is a very important day when we have this framework agreement, and as part of that framework agreement, Bill 135. I say it is important not because the NDP has managed this. I think anyone who knows anything about the New Democratic Party would see this as something, as has been mentioned by the previous speaker, the member for Cochrane South and others representing the government, that would be just perfectly sensible and natural to them. I respect that. That we have the leadership, the apparatchiks, at the Ontario Medical Association volunteering to be part of this is a day about which there should be some comment.

I thought it interesting when I read in the May 1990 edition of the Ontario Medical Review, which is the publication of the Ontario Medical Association, some observations in an editorial by none other than my former friend Dr Edward J. Moran, general secretary of the Ontario Medical Association. I should not say "former" friend. We meet very sporadically these days because it has not been a happy time since 1986. I think my own doctor was the president of the Ontario Medical Association that year, and that relationship has certainly been impaired to some considerable extent.

I think it interesting and I read a few paragraphs from the special edition of the Ontario Medical Review, which speaks from the OMA's point of view to the so-called framework agreement. I am sorry the member for Mississauga South is not here, because I do not agree with many of her observations, and I think the member for Cochrane South made some very good points that I do not need to repeat. But in speaking to the framework agreement of which Bill 135 is so central a part, Dr Moran, in his opening editorial in that journal, says:

"Apart from such pragmatic considerations, we must accept the public's right to determine the type of health care system it wants. Through a democratic process, the people of Ontario have decided that physicians are to function in a publicly funded health care system, and that to

ensure the system's viability, physicians cannot have the right to unilaterally set their own fees. It is counterproductive to continue to oppose a framework for health care that has been embraced by a majority of Ontarians. Certainly it is the responsibility of physicians to continue to oppose government strategies that harm quality of care and unfairly treat health care providers. But the medical profession also has an obligation to work within, and develop to the best of its ability, the health care system that society has established."

I think that is a very important observation and I commend Dr Moran for it.

We have had a number of elections in which the question of health care has been, if not a central question, an important question. I do agree with the good doctor from Scarborough who made the observation that there is clearly an expression of democratic will. I want to come back to that a little bit later.

I begin my remarks this afternoon by observing that for me, it is significant to see the Ontario Medical Association voluntarily subscribing to the Rand formula, which it has long wanted, but to have it in the way in which Bill 135 presents it, where it is all-encompassing. I suppose that is inherent in any Rand formula. But when I think of some of the more colourful members of the medical profession, some of whom have almost had strokes in my presence—I can think back to days in Brantford and Sarnia, to two most vivid encounters as a Health critic with members of the medical profession a decade ago.

It is a very special day for me here to be able to say that the OMA has been able to bring itself to this point. I repeat: I hope someone is monitoring the blood pressure of some of my friends in the medical profession, because I suspect hell hath no fury like Joan Charbonneau these days on subjects of the kind contained in Bill 135.

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Then I look at the agreement and I see some very interesting things. I am struck by the minister's own defence of the agreement. Let me say—I do not know if I have said this before—that I have a very high regard for the new Minister of Health. I think she is a very capable lady and I expect we are going to see a very significant performance on her part. I think she is going to have to live up to that high billing, because anyone who knows anything about the health care debate these days knows that she is sitting on, shall I say, a Mount St Helens of anxiety and concern and tension.

What do we find in the statement made to this Legislature in May of this year as the Minister of Health, the member for Beaches-Woodbine, seeks to explain and defend the framework agreement? I am not going to go into all this again, but it is quite clear from what Dr Moran says in that special edition of the OMA Review that the profession had some very real expectations, and that to a very significant extent they felt they got what they were after in that agreement.

Let me perhaps talk a little bit about what they were after. Again, coming back to the medical association and its special review edition of May 1990, the OMA said there were three things about which it felt very strongly.

First: "The government must accept that the medical profession is an important, crucial participant in the health care system and must work with it co-operatively. It must not act unilaterally." Second: "The government must accept...independent, fair binding arbitration" of the fee negotiation and any dispute that might arise therefrom. Third: "The government must accept that all Ontario doctors, regardless of the method of compensation or practice mode," are entitled to be represented by the OMA.

Those three conditions were deemed by the OMA to be central and what we have in Bill 135 is the meeting of that third condition. I gather that in the discussions it was also indicated that the government had to table this Bill 135 before the end of June 1991, and it did that. I think the actual tabling of this bill was on June 26, 1991.

I want to briefly touch on a couple of the other conditions before coming back to Bill 135. "The government must accept...binding arbitration" of the fee process. Let me deal with that for a moment. There has been a debate for a long time in this Legislature around the whole question of binding arbitration for this particular aspect of the public purse. Doctors have said to me and to others that there is something wrong with a scheme of things where the government gets to be player and referee. To some extent they are correct in that; government is in a conflict of interest.

It troubled me then, as it troubles me now, that it is not as even-handed a process as I would like it to be. Binding arbitration has always been recommended as the way out of this that will relieve the tension. So this government has acceded to binding arbitration on the medical fee account.

My friend the member for Halton Centre, in her excellent assessment of this policy and this legislation yesterday, observed that what we are talking about here is a budgetary allocation of somewhere between \$4 billion and \$5 billion at the present time. My learned friend underneath the gallery shakes his head in the negative. Perhaps it is not \$4 billion and \$5 billion, but it is, by my calculation, a very significant account. I think my friend would not nod negatively in that connection.

Taxpayers out there will want to know that the fees paid by taxpayers to medical practitioners through the government of Ontario, the health insurance plan, amount to billions of dollars annually. That is an incontrovertible, incontestable reality. What we have in this policy now is a determination by this government to turn the final determination of that to an outside arbitrator. My friend nods affirmatively.

I just want to make this point, and I make it to all members of this Legislature and I make it with absolute seriousness in such a way that perhaps I will be misunderstood: I hope members of this Legislature understand what the advent of the Charter of Rights and Freedoms has meant to our responsibilities as members. We all, I think, or most of us—outside Sterling Lyon—in 1980 or 1981 said that Pierre Trudeau was more right on that question and that we should have a charter so there would be a clear constraint put on these parliaments, which on occasion do things that are very injurious to the rights of citizens, either individual or collective rights.

We have now almost a decade of experience with the Charter of Rights. This much can be said, and it can be said in a way that is consistent with what its sponsors argued would happen: that the Charter of Rights has in fact significantly constrained legislative and executive power. That is what it was intended to do, so people should not be surprised.

Now we have an advance in one of the most interesting mechanisms used by modern government to settle disputes, particularly around payment and working conditions in vital or essential or controversial sectors of the public or parapublic sectors, namely, binding arbitration. I just want people to think about what that is going to mean. I want individual members to think about what that is going to mean.

I think it is going to mean that the government of the day has essentially abandoned its capacity to make decisions around a multibillion-dollar account. We have done it elsewhere, as others have observed. Government psychiatrists have access to binding arbitration. You, Mr Speaker, will know from your long experience in the great united counties of Glengarry, Stormont and Dundas that firemen have access to binding arbitration. We have it to a certain degree in the teaching profession with certain mechanisms that are provided under Bill 100 that can be triggered to that result. But here we are now granting for the first time the right of an outside party to decide a multibillion-dollar government account.

My observation is simply this: I hope members of the legislature understand what this is going to mean over time to all of us, whether we are the current member for Kenfrew North or Don Mills or whether we are a successor member in Brantford or in Prescott-Russell. Increasingly we are establishing and supporting mechanisms that delegate out a spending authority, and I repeat, in this case on a multibillion-dollar account representing, I think, nearly 10% of the total budget of the province. We are setting ourselves up as duly elected members to essentially tax.

I do not know about you, Mr Speaker, but I did not run on six different occasions to come here and be a taxing authority for a whole bunch of other people who get to set the rates. I believe in the doctrine that he or she who taxes has something to do about setting spending limits or priorities. We are abandoning that right to a significant extent in this bill.

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I am sincerely hopeful that the optimistic interpretation around this policy, this framework agreement, is borne out, but in talking to former members of the Schreyer administration in Manitoba—I think it was the Schreyer administration; it may have been Schreyer-Pawley—I do not have a great deal of confidence that it is going to be borne out in an optimistic fashion.

I do not know about you, Mr Speaker, but I repeat, I did not come here to tax so other people could spend what they have to defend in terms of taxation policy. I think there is a linkage. I think the doctrine of accountability means something, and if I spend I should have to tax for that. The people in Durham East or Simcoe Centre should be able to point a finger and say: "Mr Conway, as a member of the

Treasury bench, you taxed and you spent. I don't like very much of either. Off with your head." But oh, no, it is getting much more complicated and I do not wonder.

If I were in one of the special interests, if I were an apparatchik at the OMA or at OSSTF or at OPSEU, I would pray for this kind of policy because tactically I could pick off these poor politicians everywhere at different times. I could apply a guerrilla tactic that would bring a government or a legislature to its knees in a way which, quite frankly, to some extent we have seen. I feel very badly for all of us because in a few years' time we are going to have to go back to Barrie and Orono and we are going to have to give an accounting of what has been done in our name and we are going to have to stand there naked in the wind and protest that an arbitrator did it.

I do not know how the members feel about some of those court rulings that have flown from the charter—the charter I support—but they have made my life as a legislator a little more complicated in ways I had not expected. I will be damned if I have to go out and start justifying what Marty Teplitsky will decide when the OMA and the government cannot come to an agreement. If Marty Teplitsky is going to decide, then I want Marty Teplitsky in this Parliament. I find it offensive that this is not going to happen.

I am whistling in the wind, I know, but I am going to tell the members that this policy is a Trojan horse and members of this Legislature on all sides are going to remember the day this framework policy began a new era, as the Minister of Health said that sunny day in May of this year. She is right.

I will say as well that there will be some people listening to this who will say—the NDP apparently says this a lot—"You know, poor old Conway, he's just sucking a vinegar stick. He's so bitter." I am bitter about a few things, I will be quite honest.

Mr White: About what, Sean?

Mr Conway: Well, I have a great respect for the NDP. I have always regarded the NDP as a party a little different than the others. That smear campaign of 1990 still nettles. I think they should feel contaminated by that disgusting smear that besmirches the record and reputation of Ted Jolliffe and Stephen Lewis and Donald MacDonald, but it has been done. I am angry. I am no angel, but I have not done some of the things that were done in that campaign. So if I am a little angry, I hope my anger can be understood.

There are other aspects of that campaign and I want to talk a little bit about those because they are felicitously touched upon in the most recent report of the Ontario Medical Association. I am sure the members gets this. If they do not, they should read it: a wonderful picture of Basil Johnston, the president, a sage-like picture of my friend the general secretary, Dr Moran, a wonderful little section in this report, "Political Professional Activities." I want to read from page 6 of the annual report of the Ontario Medical Association, 1990-91, under the chapter heading "Political Professional Activities":

"The Ontario provincial election campaign of 1990 afforded an opportunity for the Ontario Medical Association

to forge alliances with other major provider groups as well. The experience of expressing joint concerns about major governmental shortcomings in the provision of vital health, education and social services in Ontario with representatives of the Ontario Teachers' Federation and the Ontario Public Service Employees Union created a momentum that has continued beyond the election. The result is the emergence of a new group called the Coalition of Health Care Providers, which has as its mandate a broad vision of health care delivery."

I do not want to go on, but let me just say that I think that observation is at least disingenuous. It is incomplete because I think that happy activity produced more than just a new group called a Coalition of Health Care Providers. I think it helped produce the framework agreement. I congratulate the OMA, if for not unduly abandoning itself to the Rand formula, for the not inconsiderable financial gains this framework agreement offers. Not since Larry Grossman a decade ago has the OMA wrestled a government to the ceiling. I want to say they have done it twice in my legislative lifetime.

They have done it, interestingly, at the very time when the province was in the absolute pit of recessionary circumstances, and they have done it not just in the pit of a recession for six months, but in both cases they have extracted first from the Davis government and now from the Rae government by any standard—certainly any recessionary standard—an enormously successful and remunerative multi-year, I think six-year, agreement that cannot be touched.

I just want to observe that if they had to adjust some of their principles for some of their members on the Rand formula, they had to adjust none of their principles in so far as, "We want as much as we can extract from the government and we found another government that is prepared to kneel before us," is concerned.

I read the minister's statement very carefully. This is her statement accompanying the framework agreement this spring. I am quoting the member for Beaches-Woodbine: "Over the last 10 years, payments to fee-for-service physicians have been increasing at an average annual rate of 12%. Even with a fee increase of under 2% in 1988-89—those bad old terrible Grit days—"and a 0% increase in 1989-90 and 1990-91, physician payments in the two years without increases jumped by \$400,000 million."

The minister's own statement I think makes a case for a more rigorous agreement than we have before us on the fee account. It is not because I want to penalize doctors. In the main, I agree with a lot of what others have observed. But my salary is a matter of public record. I have no difficulty and I have no intention, I might add, of trotting out a whole range of numbers, but the last year for which we have data is 1989. According to the data I have for 1989, the average GP salary in that year was \$184,000, the average specialist was \$297,000 and the all-in average was \$238,000. That was almost three years ago now, and they are averages and averages are insidious; I accept that.

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What have we done in this agreement? In this agreement, the government has agreed, "The agreement pro-

vides for a one-time payment in lieu of a fee increase of 2% for each of the last two years, at a cost to the Treasury of \$140 million." Moreover, the government has agreed to provide malpractice or, as my friend from Scarborough would like me to refer to it as, liability insurance for the past two years at an additional cost of \$84 million. "These one-time payments will, however, not be incorporated in the base for determining future fee increases."

Finally, I make the point that I represent rural eastern Ontario, and we are a deferential lot. We want our medical providers well paid and we want them happy. New Democrats and Tories could say, "You know, the Liberals didn't do a very good job of keeping the medical profession happy." I accept my responsibilities in that connection. We did not do it very well, I suppose. I think we did the right thing. We may have not done it too efficiently, but it was a very fundamental clash. I believe it was a fight we had to have. In a funny kind of way, as Dr Moran's observations have made plain, I think that fight has made this Bill 135 possible.

I just again observe that for the coming year, under the new agreement, remembering that over \$140 million has been paid out as retroactive payment to the profession for those years 1989 to 1991, what do we know about the fiscal year in which we now find ourselves? According to my information, under this agreement the government will provide a 3.95% increase on fees, representing an additional \$140 million, and \$110 million, roughly 3%, on utilization, meaning a total increase for this year, fiscal 1991-92, of approximately \$250 million in new money or an average increase of 7%, on an average that is very nearly, according to data now two or three years old, \$250,000 per Ontario physician.

I repeat: I do not have a particular quarrel with doctors being well paid, but how well paid does well paid have to be? I repeat what I have said here before. The loggers and the farmers and the retail people and the unemployed in Renfrew county are hurting and they are hurting badly. They applaud the fact that their member's salary has been frozen for very nearly three years, and they applaud the fact that 1% of the senior public service has been frozen at whatever rate—zero increase. I applaud it too. But what do we see? For the most well-paid people in our society, 7%.

I want doctors happy, and I want them well paid, but how much is enough? I think this government ought to think about what it has done. I am angry, not because they have made a deal we could not make, but 7%? I do not know what the calculations are for the out years, but my guess is that as a result of this now firm and untouchable six-year arrangement, we are going to see these kinds of increases on an annual basis. Oh, it may not be 7%. There is going to be a joint management committee and it is undoubtedly going to ratchet down the utilization; it is going to do a variety of other things.

How many people do members know who have got 7% in 1991 or 1992, particularly those people who may be at an average salary in excess of \$200,000? Not bad, I say, if you can manage it, and the OMA to its credit has managed it with the new government, as they managed it with Larry Grossman 11 years or 10 years ago.

I become a bit worked up on this, because when I look back on that Grossman agreement of 1981 or 1982, I cannot believe that we let it happen. I cannot believe that this Legislature was undressed to that extent, but we were. And let me offer kudos to the OMA. They took us down in splendid form and some of us did not even really complain about it. Now I see again something that I appear to have experienced before.

How does this compare with others? Let me restrict my observation to the health care debate. How about nurses, for whom we all rightly profess a new and higher order of commitment? We have worked quite the deal, have we not, for nurses? We are all on side with the nurses, and the government negotiated a new day for the nurses, but what does that come to mean? Members of the opposition are up daily now talking about hospital budgets, which in significant measure means nursing budgets. I myself reported the news and it is well understood.

The Toronto Hospital Corp has had to retire something like 150 full-time nursing personnel as a result of these constraints, and that is just the tip of the iceberg. It is going to be happening in Thunder Bay and Brantford and Pembroke and Alexandria and Brockville and every other institutional health care setting across this province; certainly virtually every hospital setting across this province.

Nurses gained a pyrrhic victory. They won, but they will be shown to have lost at least as much as they won. It may take a few more months for that reality to present itself, but I ask my friends, how have the nurses fared vis-à-vis the doctors? I want to say it is game, set and match to the doctors. In comparative terms, they have won all, and they have got it in a way that it is untouchable.

Yesterday I was down in the standing committee on social development, putting an oar in the water with the member for Brantford and others—in my case very paranoically—for the optometrists, who have come to me and said: “Listen, we think we are getting a bad deal, unintended perhaps, in this health disciplines review. We think we are getting a bad deal because the ophthalmologists, as a result of the new framework agreement, have had a chat with the people at the ministry or the Minister of Health and said, ‘No, we think those optometrists’”—front-line eye-care people in my county, where we have, I think, one ophthalmologist. I have had people, largely senior citizens, from Eganville and Chalk River and Barry’s Bay coming to me and saying: “What is this? What am I being told? As a result of this policy, I am now not going to be able to be diagnosed in the Barry’s Bay office of my friendly optometrist, but rather, I’m going to be shipped off to Ottawa.” They may be overreacting and maybe their optometrist is overreacting, but that is how they feel and I am concerned about that.

I have reason to believe that part of the informing logic and the pressure in this is coming from this framework agreement which now gives organized medicine a very significant say on the health care waterfront. I do not think it is a bad thing entirely, but it is a bad thing if underneath that water line they are now exercising a veto that may be having real, intended or unintended health care effects in any part of rural eastern Ontario.

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I come back to my main point. When I look at nurses and how they have fared with these cutbacks everywhere—and we are not in any way finished with those as I speak—I tell you, if I were a nurse, I would be looking at this framework agreement and I would be angry, because once again I have been dealt an unfair hand in the power politics that are so central to this policy and this legislation.

Mr White: Address your remarks to the chair.

Mr Conway: I know my friend from Brockville wants to get involved in this debate. I am notorious for going on in these matters.

I repeat, there are some very serious issues in this bill, and more important, in the policy of which this bill is a part. I do not want to talk about whether or not this is, as some people will say, a payoff for the OMA’s participation in the common front. I suppose that would be indecorous. It might even be unparliamentary. I will believe what I will believe.

I will never forget that day. I thought I would never see the day when, on behalf of Bette Stephenson and Joan Charbonneau, Ed Moran would voluntarily agree to the principles of Bill 135. I never thought I would see the day when the Ontario Medical Association would weigh into an electoral campaign, as it did so overtly with its long-term friends in the Ontario Public Service Employees Union and its longer-term friends in the Ontario Teachers’ Federation.

I will say here what I have said before: When I look back over the first 14 months of the Rae administration and I ask how well OPSEU and the OTF and the OMA have done, I say dispassionately, if not totally objectively, they have done very well indeed. I am sure it is fortuitous. I am sure it has nothing to do with the sinister motives that conniving oppositionists might manufacture. But I hope OPSEU, the OMA and the OTF go out one of these evenings and have a very good dinner on their success, because it is not an inconsiderable success.

When I look at the health care professions, the doctors have bested the nurses and they have left the optometrists well behind. Apparently the doctors are going to get an average of 7%. Compared to a sawmiller in Palmer Rapids, a retail clerk in Pembroke, a farmer in Westmeath township, they have won the main prize, and they have won it not just for this year but for five more years. I know the good people of Glengarry, if they had this agreement, would imagine they had died and been transported to another place.

We should celebrate success, because this is an enormous success these doctors have won at the expense of the public Treasury; a huge, lasting and significant pecuniary success. They have won it all. If no one else wants to celebrate that, I am going to at least observe it.

I want the farmers, the retail clerks, the trappers and the unemployed to know that this has happened and it is happening. I want members of this Legislature to know what they have surrendered. They have abandoned any kind of final control over a multibillion-dollar account; a great day for responsible parliamentary government.

I suggest that the defenders of this policy go forward and not run for this Legislature or for Parliament, but run for Marty Teplitsky's job or for some arbitrating tribunal. They will not only be better paid, they will be more anonymous and, most important, they will not be accountable. Some hopeless dupe who went through 37 days of excitement, of agony and ecstasy, will be standing up in Parliament defending what he or she did not have very damned much to do with deciding. Oh, a brave new day. I will end my comments at that point.

Mr White: I wish to congratulate my colleague on his excellent speech, as always well worth listening to, if not for the substance at least for the rhetorical flourish he offers us.

I thought when he brought up allusions to New Democrats past that he was a little bit too precious by half. In the midst of this rhetorical storm, the centrifugal force of his oratory splashed allegations all over. He is making allegations about teachers, about doctors, about nurses, etc. Perhaps he neglects to recall how his own party is saying we are too tough on the medical system, how his colleagues to his immediate right are talking about this terrible bill and how it would limit doctors' incomes.

The fact is we are talking about a basic, fundamental principle called the Rand formula whereby when a group offers services, those services are paid for. The Ontario Medical Association offers services for all the doctors in Ontario and in consequence should be paid for those services it offers.

We are not talking about the Ayn Rand formula, as the member for Mississauga South would suggest, but the Rand formula, a basic principle. We not talking about the settlement, but the method of that settlement, which is a sensible agreement.

M. Poirier : Comme d'habitude, mon collègue le député de Renfrew-Nord a fait une présentation tout à fait superbe qui décrit, très précisément, la nature conflictuelle de la façon dont le gouvernement néo-démocrate traite du sujet de financement du budget pour l'année en cours, mais qui décrit également la contradiction : comment le gouvernement néo-démocrate fonctionne à contre-courant, qui va contre tout le bon sens, contre la logique, de maîtriser les dépenses gouvernementales.

Ça a pris un collègue comme mon collègue le député de Renfrew-Nord, justement, pour être capable de démontrer ça très clairement, d'une façon bien élaborée, d'une façon bien énoncée. C'est bien son type à lui.

Moi aussi je suis très inquiet et j'appuie profondément les déclarations de mon collègue le député de Renfrew-Nord, justement parce qu'à un moment où tous les autres gouvernements serrent la vis, d'ailleurs, deviennent plus raisonnables, il a bien décrit jusqu'à quel point le gouvernement néo-démocrate se moque du contrôle budgétaire à un moment tout précis où nous, les députés, on nous demande depuis déjà deux ans et pour les deux ans à venir de limiter et même de contrôler et réduire à zéro notre augmentation de salaire, ce que j'appuie fortement, bien sûr, et que toute la population appuie.

Moi, je ne comprends pas du tout comment le gouvernement néo-démocrate peut aller de l'avant et faire ce genre de proposition-là : proposer un taux de pourcentage totalement non réaliste, dans un moment très difficile du financement des budgets gouvernementaux en Ontario. Ça défie la logique. Je m'y oppose fortement. Ce n'est pas raisonnable.

Je félicite mon collègue le député de Renfrew-Nord d'avoir très bien démontré les problèmes de manque de logique du gouvernement néo-démocrate.

1700

Le Président suppléant (M. Villeneuve) : Je veux remercier le député de Prescott et Russell pour sa participation aux questions et commentaires. Autres questions et commentaires?

Mr Stockwell: One of the most important points we should be taking from the speech that was just made is the abdication of responsibility. When people elect us to come to this House they expect us to come here to make decisions that affect their lives. Every time we push off another decision to an arbitrator, committee, board or commission—it has been happening for decades not just in this House but across the province and the Parliament itself—it does not allow the electorate to get a full hearing and an opportunity to vote on decisions we make.

The statement was made that some \$5 billion or \$6 billion of government moneys will be set aside now and decided upon by a single person who was not elected to anything, who did not put his name forward, did not stand for any job and was not accepted or declined by the voters at large.

It is one of the sad situations that has happened over the political period of two or three decades in Ontario from municipal politics to provincial and to federal. It makes me very frustrated to think that the budget of this province will be set by one person when it comes to increases in fees and a vast amount of money. Not one person sitting here in this House today, and I include ministers, has as much control over that kind of dollars as the arbitrator.

The most important thing we do is to represent our constituents. We represent our constituents who elect us to come here. If we continue to pass away those responsible decisions we should be making, we cannot represent our constituents and our constituents cannot make proper decisions if every time a tough one comes down we say we did not make that decision. It is not responsible.

Mr Conway: I thank my honourable friends for their observations. I simply make the following point again in summary: Bill 135 is an important part of a very significant deal. It is a deal involving the government and one of the most enormously significant, important and resourceful interests in the entire community. It is a deal about power politics. It is a deal that is enormously remunerative.

I repeat that the government has been infinitely more generous than those miserable Grits. I will defend what we did. We took a tough line and we paid the price. We were thrown out of office with the help of the Ontario Medical Association and that was a very good participatory thing for them to do. We took a tough line, not just with Bill 94,

t with the freeze essentially on fee increases for those o years in the last part of the Peterson administration. e brought the Ontario Medical Association into a happy alition with others like the teachers and the public ser- ce and they committed themselves politically to getting e scoundrels out and bringing a new day.

They have won a new day and they have won a very nerous deal that will take hundreds of additional mil- ons of dollars out of the taxpayers' pockets. It will, in the t of this recession, give an increase of 7% costing hun- eds of millions of dollars this year, while nurses get uch less and in fact will lose their jobs by the score and the hundreds, and while optometrists and others will el the pressure underneath the waterline.

Bill 135 is about power politics. It is about winners and sers. It is about deal-making and I want to tell members at in the first encounter between the OMA and the Bob e government it is game, set and match to the OMA.

Mr Runciman: Before I forget and the member for enfrew North leaves the chamber, he mentioned the con- ct in 1986 with the doctors with respect to Bill 94 and e extra-billing being a factor in the results of the last rovincial election. It is the only thing I disagree with him a with respect to his comments today. I find myself in reement with him more and more often these days. It is little scary, but in any event I can safely say I did not ar the question of extra-billing raised during the 1990 mpaign. Certainly, following the extra-billing debacle, whichever way members wish to describe it, we had a 1987 election and the Liberal Party came in with an over- elming majority.

Mr Conway: I am talking about the fee dispute, not e extra-billing, in 1990.

Mr Runciman: In any event—even the fee dispute—I o not believe the doctors had a significant impact with spect to the results of the 1990 election, partly because f their inability or unwillingness to lower themselves to et into the political trenches with respect to participating an active way in a provincial or federal campaign.

I want to talk about this. I know the member for enfrew North mentioned this and my colleague the mem- er for Etobicoke West mentioned it too, not just the bind- g arbitration element over this, but this is an extremely mportant initiative by this NDP socialist government and e the member for Renfrew North said we really cannot o much about.

I beg to differ with him again on that point because ven though we are told this is a done deal the Legislature, or all intents and purposes, has not been involved in this one deal and we are talking about in excess of \$5 billion f taxpayers' money being spent. I think it is only respon- ble on our part to play a very active role with respect to is decision. Bill 135 provides us with the only real opportu- ty to do that.

I guess when I think about its impact, not only its itial impact but the implications for this legislation over e long term for all of us as health care consumers, and erhaps even more important as taxpayers in this province, is a piece of legislation we should scrutinize very care-

fully, and in my view should be delaying. It is probably impossible to stop, but we should give it our best shot as opposition members in this Legislature.

As part of that process, we should make the public much more aware than we have done up to this point of the implications of what this government is doing and what it means to them as taxpayers and health consumers in this province. We in the opposition have sort of been sitting back on this and saying: "Look, there is nothing we can do about it. It is a done deal."

We have close to 60 members on this side of the House and I think if we start to play an active role in legislation like this we can have an impact, maybe not the one we would ultimately desire, but I think we can have an im- pact, if nothing more than elevating this issue so more and more people become aware of what is happening within the government and within the medical community.

I am not a big fan of the profession. Maybe I should not be saying that sort of thing. I know my colleague the member for Mississauga South was speaking today saying that doctors had no choice, that they had their backs to the wall in this negotiation process. I have a tough time with that when we are talking about the highest-paid profession in Ontario getting an increase of an average of 7%.

We had a doctor before the standing committee on government agencies today, Dr Perry Kendall, who is get- ting an appointment to the Metropolitan Toronto District Health Council. I think it was a very astute appointment and he is a gentleman who certainly seems to have a good handle on health care issues in this province.

He felt from his pew that it was an extremely generous settlement. When we talk about the rest of the Ontario economy, about the cutbacks and the belt-tightening going on within this province, and this government grants a 7% increase to the highest-paid profession in Ontario, I say something is wrong. That does not in any way, shape or form present a hardship to medical practitioners in this province, from my perspective anyway, and certainly not from the perspective of Dr Perry Kendall. I would like to see that gentleman play a more active role in decision- making with respect to government policy related to health care in the years to come.

My feelings in some respect are oriented towards the dispute back in 1986, Bill 94, the extra-billing dispute. We saw doctors across this province outraged at the Liberal government that brought in the legislation, which was part of the NDP-Liberal accord. Mr Speaker, I believe you were around in those days. Obviously the Liberals sup- ported it. It was part of their platform during the 1985 election, but the NDP, as part of the negotiation process with the Liberals to throw the Conservative government out of office, made it a major priority that they bring in a ban on extra-billing.

1710

Otherwise I am not sure the Liberal government, if they had been elected with a majority, would have acted upon the ban on extra-billing. I think they did it as a result of pressure and as a result of their desire to obtain power, and as a result of the accord they signed with the NDP to enable them to achieve office in 1985.

When I look at those days in 1986, I remember the huge crowds out on the front lawn of Queen's Park, something like 10,000 or 11,000 doctors out there protesting the Liberal-NDP legislation, because that is really what it was. Now we see them in effect—the same people, the Ontario Medical Association—getting into bed with the architects of the legislation they were so vehemently opposed to, so furious about back in 1986, and now they have crawled into bed very rapidly with those same people, Bob Rae and company.

I was looking for a word to describe them. There is a new movie coming out starring Theresa Russell, and if you look at the title of that movie, it describes my view of the OMA. Another term we could use is "ladies of the night." I was looking at my thesaurus so I could use a parliamentary term to describe the OMA with respect to its dealings with the socialist government. I do not have too many complimentary things to say about them. I think they have indeed, as a previous speaker said, been wrestled to the ceiling by the government with respect to the settlement they have been able to achieve.

At the same time they have dragged something like 3,000 through this modified Rand formula that Bill 135 really is all about, compelling over 3,000 other doctors who, for a variety of reasons, did not feel they had any need or desire or wish to be members of the Ontario Medical Association. They are now going to be compelled by this legislation to pay dues to the OMA. So they go in kicking and yelling, but the government is not prepared to listen to those people.

Again, I say that perhaps this is the kind of legislation that should go to committee. We should not rubber-stamp it. We are talking about significant expenditures in the billions of dollars. When the member for Renfrew North and members of my caucus and members of the opposition parties generally say, "We can't do anything about this," I think we can do a heck of a lot about it, and perhaps the first step would be to send this legislation to committee. We have the numbers to do it. We simply have to get enough within our own caucuses to agree that it is worth while doing it. Obviously my views are that we should be doing that.

Another element of this is the cap on incomes. I have got some feedback on this from specialists—dermatologists, ophthalmologists, orthopaedic surgeons—who find that the cap is going to apply some severe pressure to them, not necessarily in terms of income but in terms of their ability to operate an office.

I was talking to a dermatologist a week ago who indicated to me—he operates in the city of Toronto—that he has had to lay off one nurse and may have to lay off additional staff because of the income cap. There is no recognition in that cap for a specialist's capital investment in new equipment. This specialist was indicating to me that when new equipment comes on the market, high-tech equipment which is going to provide the best possible service to his clientele, he simply, because of the government restriction on income into his office, is not going to be able to have that recognized by the government under this initiative it has undertaken.

We look at the overhead of doctors, especially specialists. I am not so concerned about general practitioners. I think they look upon this as a windfall in some respects—a goal to shoot for, the \$400,000 cap. I am talking about specialists. Another element of this we have heard, and thank goodness this is only limited to a small number of specialists up to this point, is of ophthalmologists and dermatologists closing their offices after approximately six months of operation and simply going on a vacation or doing other things or looking into other areas of income generation rather than keeping their offices open, because they have already achieved their cap.

What in effect we are saying to these specialists is that once they have achieved their cap, if it happens to be after six months of practice and their income is severely restricted from that point onward, why should they continue to operate their offices? There is no recognition of the overhead, the staff component, no recognition of that whatsoever, so why should that specialist continue to operate his or her office? It does not make any sense. It is perhaps a modest problem at this juncture. I am not sure who the lackey is in this exercise, whether it is the OMA or the government, but together perhaps they can address this so that we are not going to see this sort of problem continue to grow and health care consumers in this province suffer.

The other element of this which is a concern of mine too is the migration of doctors to the south. It is essentially specialists we are talking about who are attracted. We saw—I cannot recall the doctor's name—a significant specialist in Metro Toronto who I think worked at the Hospital for Sick Children move to Texas a couple of years ago. We have seen very prominent specialists in Ontario already leave because of the offers to function in a much freer climate, if you will, in terms of restrictions placed on health care providers in the United States. To me this kind of initiative, which does not recognize these special circumstances of specialists in Ontario, is going to further aggravate that situation.

I think an element of this, and my colleague the member for Etobicoke West mentioned this in his brief comments and certainly the member for Renfrew North did at length, is one we have to stress as members of this Legislature, and that is the provision of binding arbitration. That was a platform of the NDP during the 1990 election. They believe in binding arbitration and that is not strange. We can understand that coming from that party and its particular ideology.

When we look at the history of binding arbitration in this province perhaps we can understand where the OMA is coming from as well. I think I read where 87% of the OMA's membership council voted in favour of this deal. I think they have taken a look at the history of binding arbitration with police services, if they have looked at fire services, and can understand that they would not necessarily be shy or reluctant to get involved in a process that is going to see them go to binding arbitration when they cannot reach a negotiated settlement with the government.

20

I served on a municipal council for a little over eight years. A number of us have served on municipal councils, and we have all had experience with binding arbitration. Frequently we find those settlements have no resemblance to reality.

I can recall in my community where an arbitrator would come in for binding arbitration on a seniors' residence, for example, and give a double-digit increase. The arbitrator did not take into consideration the average increases in the area and did not take into consideration the debt load of the municipality or the public body responsible for providing those salaries through the charges to the taxpayers. I guess what I am saying is that the history of binding arbitration in this province is something I think we could all be very much concerned about.

In binding arbitration with public bodies, these folks, for whatever reasons, seem to be overly generous with taxpayers' dollars. What we are talking about here is not a modest amount. We are not talking about a municipal budget; we are not talking about the budget of a seniors' residence; we are not talking about a local fire service or police service. We are talking about a province-wide service which represents over \$5 billion in tax dollars. I think I have the figure here: \$5.3 billion allocated for OHIP payments this fiscal year.

I think just that one element of this agreement is enough for us as legislators to say, "Whoa, is this the sort of decision-making we should be leaving in the hands of a third party? Is this the sort of thing that we do not want to play a role in? In effect, that is what the government is trying by bringing in an element of binding arbitration.

What we are doing is taking it out of the Legislature's hands. We are effectively taking it out of the government's hands. We are taking it out of the Treasurer's hands. When we are talking about numbers in the billions of dollars, that should be cause for pause and reflection, I would think, on the part of not just members of the opposition parties but certainly of members of the government party as well. Perhaps most of them are not looking down the road and they are only looking at the next three years because they realize, as most of us do, that a lot of them certainly are not going to be returning to this place.

I am going to continue speaking on this legislation until 6 o'clock.

Mr Mills: Oh, no. I'm waiting for the Fire Marshals to act.

Mr Runciman: Well, I am sorry; the member for Durham East can go home now.

In any event, I think this is the sort of legislation that we should be discussing in detail, and I want to encourage anyone in the medical community who may be viewing this broadcast, especially doctors, general practitioners, specialists, who has any concerns about this legislation to call my office in Toronto at 325-3868. I would like to hear your concerns. I would like to have them brought to the attention of the Legislature and to the public of Ontario.

I am not optimistic that we are going to hear from a lot of doctors because—

Interjection.

Mr Runciman: I will. The member should not worry about that.

Mr Wiseman: What was that again?

Mr Runciman: Just for the benefit of the government members, I will repeat it. It is 325-3868. They should not clog my lines, please.

I recall when we had a filibuster in this House, the most recent filibuster, if you will. It was conducted by the member for Welland-Thorold, a member of the government party. I followed him, as at the time I was the insurance critic for my party and I spoke for four days; not four full days, of course. While the opportunity to speak was present, I spoke for four days.

I must say that when I look back at the filibuster and the debate that took place with respect to no-fault auto insurance and compare that with, not necessarily Bill 135 itself but when we take a look at the complete package with respect to the funding arrangements arrived at between the government and the Ontario Medical Association—and the modified Rand formula that is being brought into effect is just part of that total package—and compare it with important pieces of legislation that you and I, Mr Speaker, have dealt with over our time in this Parliament, I have to compare it with the most recent filibuster, which was felt to be important enough a couple of years ago that the member for Welland-Thorold, with the full support of the now Premier and other members of the NDP caucus filibustered right into—we went into a 24-hour session at one point.

They felt strongly enough about the ban on extra-billing. When I take a look at the implications of this, I think they are certainly as important, if not more important, for all of us in this province as the introduction of threshold no-fault auto insurance, because this bill is not just having an impact on a one-year increase in payment to doctors; it is an agreement that is going to extend for the next three fiscal years—1991-92, 1992-93, 1993-94.

It has a number of measures which, as I said in my earlier remarks, are significant for all of us as taxpayers as well as health care consumers in this province.

When the announcement was made, they talked about cost containment. I want to say that those cost containment measures, upon scrutiny, appear to be largely symbolic and I want to run over some of those for the House and for the benefit of the members opposite.

The government and the Ontario Medical Association will share financial responsibility if the volume of OHIP billings goes over a certain amount.

Mr Sutherland: What's that number again?

Mr Runciman: I will get on to it later. I am having significant pressure, Mr Speaker, from the member for Oxford to keep repeating the phone number in my office, but I want to assure him that before the House adjourns at 6 o'clock I will get it on the record at least three or four more times.

Mr Harris: I'll be able to call you too.

Mr Runciman: We will keep a line open for the member for Nipissing.

For the next three fiscal years—1991-92, 1992-93 and 1993-94—the government will pay for all increases in overall system utilization resulting from demographic changes; an example: for increases in population and in the number of older people, plus a 1.5% cushion.

I think it is interesting that we had all this kerfuffle on extra-billing. My party, the Conservative Party of Ontario, from a philosophical point of view did not agree with the ban on extra-billing. We vigorously opposed it. Members will recall the government of the day bringing in time allocation because of the position the Conservative Party took. I guess in some respects we felt that we went to the wall on behalf of the medical community in this province.

Again, it raises my hackles, to say the least, when we look at the situation now, when the architects of the ban on extra-billing are now going hand in hand with the OMA—the same people, with 10,000 or 11,000 doctors out there violently opposed to a ban on extra-billing, now going hand in hand with the Premier, the architect of the ban on extra-billing. As I said, it is indeed shameful and I have already used some rather descriptive words to describe my feelings with respect to the OMA and its carryings-on in its dealings with the current socialist government.

1730

Getting on to these symbolic cost containment measures again, in the current fiscal year it is expected the government will be solely responsible—we keep hearing that this government will pay for all increases—for utilization increases in the OHIP globe up to approximately 3.5%.

I was going on to a point about the ban on extra-billing and I forgot about it, but what has happened in terms of the fee-for-service portion of the health care budget since the ban was implemented in 1986 or 1987, whenever it was, is that the fee-for-service element of the health care budget in this province is, I think, somewhere in the neighbourhood of 30% to 35%. We have not seen any drop. Those ingenious doctors found some way to overcome that ban by finding new and innovative ways in which to bill OHIP so that there was no shortfall in incomes of the doctors in this province in any sense. In fact, fees for service have become even more of a burden on the Treasury and the taxpayers of the province since the ban on extra-billing.

For the government and the OMA, up to 3.5% in utilization increases is going to be completely absorbed by the government and anything in excess of the 3.5% is going to be shared. There will be some sort of sharing of financial responsibility if the OHIP volume of billings goes above 3.5%.

I talked to Dr Perry Kendall today, who is the medical officer of health for Toronto, about the increase representing something like 7% through this sweetheart deal that the OMA was able to get out of the socialist government this year for peace and quiet within the ranks. It is understandable that they have peace and quiet within the ranks when they get that kind of generous increase. We see over 200,000 manufacturing jobs being lost in this province. We see welfare increases so that we now have 10% of the Ontario population on welfare and social assistance. What

does this government do? It gives the most highly paid profession in Ontario a 7% increase.

How do you justify that in tough economic times, Mr Speaker? How do you explain that to the laid-off worker in your riding or in my riding or in Nipissing? You simply cannot do it because it does not make any sense when the rest of us are being asked to tighten our belts and try to find ways we can cut expenditures and streamline government. What do they do? They give their public service a 14% increase for this last fiscal year and they give doctors a 7% increase. It does not make any sense at all. The increase has been estimated to cost \$250 million. I think it is going to be significantly more than that. The retroactive element is apparently going to cost \$140 million.

There is another interesting element which many members of the Legislature may not be aware of. Malpractice insurance this fiscal year—

Mr Harris: On a point of order, Mr Speaker: We are dealing with a very important piece of legislation. There is not one single cabinet minister in this Legislature, not one who cares about this bill and is here in the Legislature. I do not think the government is interested enough even to have a quorum in the Legislature so we can deal with this legislation properly.

The Deputy Speaker ordered the bells rung.

1736

Mr Runciman: Thank you for your help, Mr Speaker. I appreciate the intervention. This is an extremely important piece of legislation and one would hope the government members are prepared to play a role in this debate other than simply carrying on side conversations.

Another element of this I want to talk about is the establishment of a joint management committee. The agreement between the Ontario Medical Association and the government is going to give doctors a clear role in the management of all medical services and all issues relating to the health care system in the province through this joint management committee. We cannot say the same for other health care providers. They have been excluded from the process. It is totally excluding all other health care providers.

What in effect we are saying is that we are going to isolate the little guys from the bigger picture. That seems to me to be in contradiction to what the NDP has stood for over the years. At least the public rhetoric is that it is very supportive of the little guy, giving him or her a voice in government, making sure they have an opportunity to be heard and have input in the decision-making process.

That is not the case here. We have seen this sweetheart deal with the doctors of this province, with the Ontario Medical Association, whereby the doctors have said: "We don't want anybody else in this process. We don't want to hear from the nurses. We don't want to hear from any other profession or health care provider. We want to be at the table only, just the two of us, you from the government and us representing the medical profession. We are going to make the kinds of decisions that are going to impact on, supposedly, making health care in this province much

more responsive, much more effective in terms of cost containment."

I think it is unfortunate that the voices of other health care providers are going to be excluded or given a minimal role to play and that we are putting all our money on the doctors in this province, through the Ontario Medical Association, to play that kind of role and provide the kind of co-operation that is going to see the changes necessary to prevent the further decline of Ontario's health care system, the decline we have already witnessed over the past number of years in terms of long lineups and waiting lists for getting health care provided.

In essence, with the OMA's agreement, with this measure, we are not going to see that take place. I talked about specialists earlier and the fact that we are going to see some of them cutting back on service or simply moving to other areas of employment, areas where they can generate income, during that time when the government says, "If you reach your cap within five or six months, we're going to restrict your income flow for the remainder of the year." Why should a trained professional not look to other income-generating areas to devote his time to? Why should he spend time looking after a long waiting list of patients who require dermatological care or care from an orthopaedic surgeon or an ophthalmologist? They are simply not going to do it unless they are extremely devoted individuals to the community. I am sure many of them are, but there is a limit to that kind of service they can provide to their community.

I want to talk extensively about the joint management committee again. Apparently it is going to develop action plans to look at issues raised by both physicians and the government. It is going to constantly monitor the health care system. I guess I cannot say this too often: We are talking about the health care profession being responsible in terms of controlling health care costs and getting the system in balance. Right now, health care represents about one third of the provincial budget and in many respects seems to be out of control in terms of getting a handle on

I compliment the Minister of Health. As does as the member for Renfrew North, I have a great deal of respect for her as an individual member of this cabinet. I think she has some tough decisions to make and she has a huge ministry with which to cope, with all sorts of issues facing her on a daily basis. Getting a handle on the issues and not being diverted by that huge bureaucracy is a challenge indeed.

I have talked about a number of issues of personal concern to me with respect to the community mental health branch of the ministry. I think this minister, at this point in time in any event, is being led down the path by professional bureaucrats within the community mental health branch of her ministry. The minister has a real challenge, and for her and this government to become even more dependent on the bureaucrats and on the medical community is not a prospect that heartens me.

I do not think that in most instances, in terms of getting health care costs under control, we have had a positive response from the medical community. Their interests es-

entially seem to be centred on their own financial wellbeing. Maybe that is being too harsh. I certainly should not be tarring them all with the same brush, but I know the feedback and the comments I have received even in my own community seem to be centred on income levels and not necessarily on service provided to health care consumers. Perhaps I am not hearing from the doctors who are very much committed to improving and enhancing health care services to consumers in this province. Maybe they are out there, but they certainly have not been raising their voices in any concerted effort to be heard by me or other members of this Legislature.

We only see doctors playing an active role, as they did in the extra-billing dispute in 1986, when they feel they are going to be negatively impacted upon in terms of their own incomes. Maybe it would be a refreshing change if we saw the doctors of this province protesting about other elements of the health care system: when they see enormous waste occurring, for example; when they see things going on in their own practices or those of their colleagues where they routinely call for tests as part of a process within their own offices and then those tests are routinely ignored.

This is a frequent practice, according to testimony before my committee today by Dr Perry Kendall, who is the medical officer of health for the city of Toronto and a new appointee to the Metropolitan Toronto District Health Council. Dr Kendall was talking about that kind of waste within the system by doctors, at enormous cost to the taxpayers. We do not see doctors—I am certainly not aware of the OMA—trying to curtail those kinds of practices that we hear are rampant within the system.

When we say the doctors are now going to be the key players in terms of health care providers playing a role in this joint management committee the government is establishing, they are going to be the key players in terms of telling us where the cuts should be made, where the streamlining should occur and where the efficiency should take place. We are saying we are going to put all our chips on the doctors. I have a tough time with that. What about the nurses? What about the ambulance drivers? What about all sorts of people out there who are players in the provision of health care services in this province? They are being totally shut out.

In effect, for all intents and purposes, so are elected members of this assembly being shut out from the process, as we have been up to this point in this whole sordid deal with the OMA. We have been shut out. This is essentially really the first opportunity this Legislature has had to debate this deal made with the doctors of this province. All we are doing is talking about one element of it and the implications of the bringing in of a modified Rand formula, which is going to ensure that the OMA's tail is protected for ever and a day and that it is going to be able to dip into the pockets of doctors who are not supportive of the OMA and compel them to come up with the \$3,500 dues annually—I believe it is something like that—that are going to have to go to the OMA whether they support it, whether they believe in it or whether it represents their interests.

I do not want to shock members on the other side too much, but for all intents and purposes I am not someone who has a lot of trouble with the modified Rand formula in most applications. At one time in my life I was union president, believe it or not, in a plant that had the modified Rand formula. It does serve a useful purpose when you have the union at the negotiating table representing the interests of all the workers within that operation. They are benefiting from that negotiating process and as a result they should be supportive in a financial sense, if no other sense, of the people who are speaking on their behalf.

In that sense you could say the idea of a modified Rand formula in this situation has some relevance, but we are talking about a professional organization here. We are not talking about a comparable situation in the chemical industry or in the auto industry where the workers have management above them and they have to deal with that management and have to have their interests protected and represented by a union in many instances. A modified Rand formula has suitable application there in many cases. Here we are talking about a professional organization that deals with the government, and I do not see this as being the sort of thing a professional organization such as the Ontario Medical Association should be getting involved in.

I can see the OMA's self-interest in respect of the binding arbitration element of this agreement. During the next opportunity I have to speak on this piece of legislation, I hope to review some of the history of binding arbitration settlements with public bodies in this province. I think it will be scary when we look at the impact and the implications of allowing a third party to enter into this process and make decisions that have an impact on the expenditure of public dollars to the exclusion of the people who are supposedly accountable to the electorate.

When someone pays taxes and votes, he or she believes that you, Mr Speaker, representing your riding, and I, representing the people of Leeds-Grenville, are going to be able to come back and say why these dollars were spent and why these decisions were taken. What we have done now, and what this government is doing through this legislation and some other agreements with the OMA, is effectively we have removed that element of accountability that is so important in a democratic process. It is even more important to all of us when we are talking about an allocation that is in excess of \$5 billion in tax dollars in this fiscal year alone.

We are probably looking in the coming year at an expenditure that is going to exceed \$6 billion in tax dollars. If the OMA, through its negotiating team, is unable to reach an agreement with the government of the day, it is going to go to binding arbitration, and who knows what that decision is going to be or what its implications are going to be on the Treasury of the government and all of us as taxpayers or what implications it could have on the financial rating of the province? There is a whole range of implications to this which I do not believe have been thoroughly thought out.

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Again, I believe this is an extremely important piece of legislation and I want to encourage anyone who has an

interest in the health care system in this province, who may be a health care provider, a nurse, an ambulance driver, a nurse's assistant, or who may simply work in a hospital or have any kind of role to play in the provision of health care services, but especially doctors, specialists, to call me. Call my office at 325-3868 in Toronto. Let me know what your concerns are. Make me aware of them so that I can bring them to this House, so that I can tell my colleagues that indeed there is concern and growing recognition.

Interjections.

Mr Runciman: I want to put on the record that there is a small group of socialists sitting directly across from me who find this whole discussion very amusing. They are simply having a good laugh over there right now. I want to tell the viewers watching this that we are talking about a bill that has implications for billions of taxpayers' dollars and they are sitting over there joking about it while we are debating this very important piece of legislation. I am offended, and the taxpayers of this province should be offended.

Mr Mills: On a point of privilege, Mr Speaker: I would like to point out that the laugh was about the telephone number and the place it was seen.

The Deputy Speaker: Take your seat, please. That is not a point of privilege or even a point of order.

Mr Runciman: Just for the member's clarification, the number is 325-3868. It is my Toronto office. It is not the Queen's Park number. I am going to encourage everyone in the health care field to call me, but I am imploring doctors, specialists, orthopaedic specialists, dermatologists and ophthalmologists to call me and let me know what the implications of this deal are.

I am not going to be optimistic that doctors are even going to bother to lift the phone. They do not bother to get involved in the political process unless they think that in some way, shape or form it is going to be—I will not say in the best interests of their bank account, because that might not be nice to say. I guess I am rather hard on doctors and that is based on being around this place for 10½ years and seeing a variety of things occur during that period of time which have not made me very enthusiastic about the medical profession in this province or about a significant number of its members, or at least the people who represent them in the OMA.

Obviously they have a role to play in terms of looking after the best interests of the people they represent, but I think they have a broader interest, and that is serving the people of this province and serving the best interests of the people of the province in terms of health care services. I do not think they have done a very adequate job in that respect. Again, this whole business concerns me. When we lodge with the doctors that significant responsibility through the joint management team, placing them in a crucial and pivotal role in the decision-making process respecting health care in this province in the years to come, when we are talking about the OMA effectively monitoring the system, how effectively are they going to monitor the abuses within their own profession?

The abuses are there, but do they stand up and catalogue them? No. We have to have someone like Perry Kendall, who is looked upon as something of a radical because he dares to stand up and say, "Look, there are colleagues within my profession who are calling for routine lab checks," which cost all of us \$100 or \$200 per check, depending on the complexity of that check. They do on a routine basis. Then when the patient comes back with that test, they simply ignore it.

They go through this exercise which is not in the best interests of the system. We have a long waiting list. We are losing hospital beds. We are looking at all sorts of, in some respects, very draconian measures to try and get health care costs under control, and the doctors are the folks who are right in there in the system. They see those kinds of things occurring every day where changes could take place. It could represent real cost containment measures. It could see us do things that are going to have effective and beneficial returns to all of us. But we do not see those kinds of messages coming forward from the medical community. I do not see them; I do not hear them. Maybe you do, Mr Speaker, but I do not.

I think when we take a look at this legislation and its impact, we have to be very concerned, and as I said, I am going to continue to speak on this, unless I am cut off at the knees. I certainly want to ensure that all members of the opposition take a very careful look at the implications of this legislation and perhaps review the comments made by the member for Renfrew North today, who was eloquent as usual and worked up when he talked about the rural community in his riding. He raised the issue of Ontario Hydro costs going up 45% in rural communities, with the option for them to go to gas. He has talked about that and he compared this issue with that.

We have members of the agricultural community, those of us who represent rural communities, and I have a significant rural component, who are struggling to survive and

keep their farms operational, and many others, looking at the highest-paid profession in this province receiving a 7% increase, and then the government getting up and boasting about that deal: a 7% increase to the highest-paid profession when we have farmers going under on a daily basis. We see manufacturing jobs either leaving this province or being done away with on a permanent basis, and the doctors, the wealthiest profession in this province, getting a 7% increase. I am not going to get out a crying towel for a doctor in this province today, based on that initiative by the socialist government of Ontario.

Mr Bradley: Brian Harling works for the OMA now, the NDP secretary.

Mr Runciman: What can you say? I am just advised that we now have a former NDP secretary working for the OMA. I guess there are benefits to everyone in this deal except the health care consumers and the taxpayers of this province.

I just had a little bit of a criticism here from my executive assistant, who says, "If you're going to give out the office number, the least you can do is advise your executive assistant." I apologize, but apparently he has been advised by someone. Maybe that is an indication that the phone is ringing and that indeed people are watching this broadcast and people involved in the health care service area are contacting us and making us aware of their concerns and the implications.

Mr Speaker, would you like me to move adjournment of the debate?

The Deputy Speaker: It is not necessary to pass a motion, but in any case you will have the floor when the bill is introduced again to the House.

It being 6 of the clock, this House stands adjourned until 10 of the clock tomorrow morning.

The House adjourned at 1759.

ERRATA

No.	Page	Column	Line	Should read:
1	3382	1	1	Mr Chiarelli: I certainly would like to comment on the Conservative critic's comments. I endorse them 100% in the sense that what we have seen is a number of ills
1	3394	1	6	ing defensive medicine, that there is a contribution both

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Legislative Assembly
Ontario

1st Session, 35th Parliament

Official Report of Debates (Hansard)

Thursday 7 November 1991

Assemblée législative
de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le jeudi 7 novembre 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 325-7400.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 7 November 1991

The House met at 1002.

Prayers.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

ONTARIO WATER RESOURCES AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT LA LOI SUR LES RESSOURCES EN EAU DE L'ONTARIO

Mr Hansen moved second reading of Bill 141, An Act to amend the Ontario Water Resources Act.

M. Hansen propose la deuxième lecture du projet de loi 141, Loi modifiant la Loi sur les ressources en eau de l'Ontario.

The Deputy Speaker: Pursuant to standing order 10(1)(c), the honourable member has 10 minutes for his presentation.

Mr Hansen: I would like to explain the bill. The purpose of the bill is to require persons installing plumbing fixtures in new or existing buildings to use only prescribed fixtures intended to reduce the flow of water and the discharge of sewage. The use of the prescribed fixtures would be enforced by the municipal inspections carried out under the regulations.

Last spring I talked to the mayor of West Lincoln, Ms. Kham. In Smithville, a small town in which the local water supply was contaminated with PCBs, a pipeline had to be installed from Grimsby to Smithville. The line that was installed to Smithville has actually choked the development within the urban boundaries of Smithville.

Discussing introducing private bills for the municipalities for a bylaw, I conferred with other municipal mayors and they thought this would be a great idea, but introducing five bills would be very expensive for the five municipalities.

Fonthill is in the same state, in that it depends on water from the city of Welland. Grimsby is waiting for an environmental assessment for installing another water-pump-station and purification plant. Also, St Catharines is in a position that if it has the water it does not have the sewer capacity, so development in the west part of St Catharines has been slowed down also, within the urban boundaries. The town of Lincoln—Mayor Konkle—has also had a problem with mussels in the intake pipes, and there have been water restrictions in the town for a period of time.

I would like to share this bill with the province of Ontario and not just look after my constituents in Lincoln. I would like the members opposite and the government to get into this plan and be part of this bill to also help their constituents and their towns.

That is just my local experience on this particular bill. The government has already taken the initiative to challenge Ontarians to reduce water consumption. Bill 141 will ensure that new users on the system will automatically use

less. Bill 141 will go hand in hand with the long-term plan of the Minister of Natural Resources, who is conducting workshops on water efficiency with various groups in the province. If new homes or buildings are required to have efficient units installed, they will add less pressure to the municipal services.

This will allow municipalities which are being restrained from expanding because of infrastructure being at near capacity to expand, or at least to infill in areas that should be developed, without putting unnecessary strain on a system.

Also—my riding is very rural—in rural areas, efficiency units require less water to be drawn from the ground water supply and will mean less going into the septic beds.

One example is in Boston, the Marriott Hotel. The hotel replaced 430 guest-room toilets that used 3.5 gallons per flush with 1.5-gallon efficiency units. The changeover will reduce the Marriott's water usage by approximately 1.2 million gallons per year. They were also looking at a 38% increase in the next three years in water and sewage charges. As a local example, the Holiday Inn in Kitchener, Ontario, replaced all shower heads in guest rooms with low-flow shower heads. In addition, they installed simple toilet dams, and together the result has been a saving of \$14,000 per year in energy, water and sewage charges. Reduction saves money.

Ontarians are big water users. Per capita, they use nearly as much as Americans—300 litres per day versus 426 litres—and twice as much as western Europeans, who use 150 to 200 litres per day. Ontario households use more than one third of all the water provided by municipal treatment plants. The water supplying Ontario households and industries comes primarily from the Great Lakes. This water cannot be used as it is; it must be purified with chemicals. Waste water must be treated, and clean water must be distributed throughout the province. This process uses energy and will likely cost Ontario about \$1.7 billion in 1991. It also affects the quality of the environment. In 1980, the processing cost was about \$600 million. Since then, this cost has nearly tripled.

Communities not situated near lakes or rivers, as well as most Ontario farms, use ground water supplies such as wells, which can run short. Water shortages in such areas as the regional municipality of Waterloo occur often during prolonged dry weather and, if demand continues to increase, most communities will face the substantial cost of expanding existing water treatment plants or building new ones. In addition, some communities that rely on ground water already face water shortages and may have greater problems in the future.

By adopting efficient practices used elsewhere, Ontarians can achieve zero growth in water use, at least to the year 2011. If we achieve zero growth, we will reduce

stress on the environment, lessen the likelihood of water shortages and reduce energy costs.

To take an example in the United States, 14 states, including New York, Massachusetts, Rhode Island and Connecticut, have mandated or will mandate the use of low-flow devices such as toilets, faucet aerators and shower heads. A bill is before the House of Representatives which will require the use of six-litre toilets and other water-efficient fixtures.

What are the savings to the average household with four people living in it? The answer is dependent on the efficiency measures undertaken and how the family reacts to water efficiency. If the family is charged per litre of water use and is assumed to have the standard shower faucet and toilet which was installed in the past, and if newer water-efficient fixtures, including a low-flow toilet, are installed, then savings of \$115 per year are possible. This represents a 33% saving on the average bill of \$350 for water and sewer services for a family of four. There are 26,000 households in Lincoln; that would be a \$2-million saving in one year.

Who will pay for this? The only source of funding will be water users. It is this group which makes use of the water and pollutes the water, and it is only fair this group should clean it up.

1010

It is possible that some municipalities may choose to offer free retrofit kits to home owners or offer financial incentives. This has been done in Waterloo and in many US cities. However, it is important to understand that the water user will ultimately pay for those through their water bill.

If we use less water, are we going to be able to maintain the same rates? Utilities have fixed costs which must be paid even if less water is used or even none. If everyone suddenly cut back their water use, this could happen. In practice, some people will cut back right away and others will take longer.

During this time, new customers will be hooked up to the system, which will offset any decline in sales. Over time, more customers will be paying less, which will maintain revenues to the utility. The aim will be to hold demand at a constant level thus holding revenues constant.

Do members know that 26% of all municipal water supplies in Ontario are from well water? This services about one million people. In addition, most agricultural water used in households is from ground water sources. Toilet flushing takes 41% of the water used in our homes; washing and bathing, 37%; kitchen and drinking, 11%. As you can see, this bill is needed.

What about the cost of the toilets? They are between \$125 to \$350, depending on the model. What about the existing sewage lines that we have? They can be adapted to it. There will not be any problem with plug-ups or anything else.

The Ontario plumbing industry has indicated that if we change over to make water-efficient products in Ontario, if there is a sufficient demand, changing the code and launching a water efficiency program should create this demand, therefore preserving or enhancing the number of

Ontarians working in the plumbing fixture industry. Only about 12% of plumbing fixtures are currently imported.

Mr McClelland: At the outset, let me say to the member for Lincoln that I appreciate, and I think many of his colleagues appreciate, the initiative he has taken here. I want to congratulate him for having taken this opportunity in private members' hour to introduce a very practical piece of legislation and something that in terms of the spirit, the underlying philosophy and thrust, of what is incorporated within Bill 141, any member of this House would be hard pressed not to support. I say to the member for Lincoln, he is to be congratulated for this job well done.

The bill sets out a requirement for new structures and new buildings to incorporate water-saving devices in their fixtures and plumbing. It is certainly worth while to consider that a number of jurisdictions, as the member for Lincoln has already indicated, have proceeded with similar legislation, particularly jurisdictions in the United States.

We note that some municipalities have shown leadership in this area and they too are to be congratulated. My understanding is that Waterloo and Wellington require low-flow devices in new homes. Niagara Falls has passed—if not already passed it is certainly considering—a bylaw that would require all hotel additions to use low-flow fixtures.

That is the kind of initiative being undertaken from place to place across the province. What the member for Lincoln is doing is, of course, to try and incorporate that in a general scheme across the province.

The member for Lincoln has indicated in his comments the tremendous amount of water that is used by the average household and the average person in Ontario. The very able people in research came out with some statistics that are quite astounding. The numbers are indeed staggering. I had no idea that an average toilet that is three or four years old loses up to 100 gallons of water a day just in seepage through seals and valves that have worn. That is yet another example. I had no idea, quite frankly, that if you have a household of four people and they brush their teeth and leave the water running, presuming they do it two times a day, you are looking at about 24 gallons of water wasted.

I water my lawn probably more than I ought to from time to time and I am not judicious in terms of controlling the time. Watering an average lawn in the summertime uses about 660 gallons of water. When I wash my car, do I leave the hose running? Washing a car uses approximately 125 gallons of water. Those are the kinds of things that sort of put in perspective the principle of the bill that the member for Lincoln has brought forward. It is very worth while. There is a tremendous opportunity for conservation and for using a very important resource that we have more judiciously and wisely.

We often forget as well in Canada, and particularly in Ontario, how very fortunate we are in having ready access to the quantity and quality of water that we have. Some of us have had an opportunity of visiting other parts of the world where it would be criminal to use water the way we do. Indeed, one of the greatest commodities is water and one of

the greatest difficulties in terms of health and maintaining in many parts of the world is the availability of water.

Again to pay tribute to the member for Lincoln, it is something that I believe, without sounding too esoteric and lofty, has a really valid moral component, in terms of our responsibility to a world environment and to a world ecology, to show leadership. Having been blessed with an abundance of water in our province, we have a corresponding responsibility to show leadership in how we use that resource and to deal with it appropriately. Again I thank the honourable member for bringing this forward.

There are a couple of questions in terms of the bill myself that I would like to bring forward in a positive and constructive manner and that I ask the member to consider. Certainly I will be urging all of my colleagues on whatever side of the House they sit, for whichever party, to support the bill, because I think the principle is well regarded by each and every member.

In terms of the definition within the amendment, I would like to know, and perhaps the member could comment on, whether the use of the word "building" will refer to all structures. Would that include, for instance, cottages, single homes, industrial buildings, high-rises, etc? What level of change would be considered a renovation? What if it was to do a simple add-on to my home, for example, or some of those practical things? That would probably have to be thought out a bit more.

The other thing that is really key to this is the phase-in period. The manufacturers and the suppliers of the hardware, I think, would want to know very precisely, and appropriately ought to know, what the phase-in period would be. There have been similar initiatives taken in the United States, and the phase-in periods have been anywhere from 90 days to three years. It seems to me, having done some very brief consultation, with able assistance from people on our staff, that a period of a year of phase-in could provide an opportunity for manufacturers to tool-up for the production of domestic hardware that would accommodate the requirements of the act and also provide an opportunity for in-stock materials. That is a consideration. Billings that, there has to be some consideration of what you would do with all the material in stock. We would have to come up with some creative ideas for either re-using those materials or, ultimately of course, they would have to be disposed of. That is a concern I have.

It has been mentioned by my friend that there would have to be some integration with the building codes. That is something that could be done very readily in the building and plumbing codes. The Ministry of Housing has indicated, and I think it is clear, that it would be a relatively simple task legislatively to incorporate the changes through the acts that are under the responsibility of the Minister of Housing to make them consistent and comply with the requirements of Bill 141.

I also have a concern, if members will allow me to draw a little bit of a parallel, in terms of the Landlord and Tenant Act and Bill 121 that we will be dealing with and some of the initiatives that I want to see taken in that particular bill. I think I can draw a parallel with this. In the area of water conservation or conservation of anything,

energy for example, one of the concerns I would have is to have some sort of guarantee or indication that a landlord or people involved in owning buildings would not be effectively punished for having shown conservation measures.

1020

One of the difficulties I see with not incorporating it into a more holistic scheme is saying to landlords and people who run buildings: "Go ahead and do it. It's the right thing to do"—which I think we all believe—"and by the way, you're going to be punished for it. We're going to roll back your rents because you have a cost saving." There ought to be some incentive, some practical way those savings can be passed on to the home owner and the landlord in cases where they are commercial buildings, and residential tenancies particularly.

I want to leave some time. My colleague the member for Oriole wants to talk about this. There are some specifics I touched on. There are a few others we will save for another day.

In conclusion, I simply want to say that apart from some of the specific issues I would like to see addressed, there may be some refinements that would be in order. Again I say to the member for Lincoln, this is a job well done. The principle of what he is doing here is to be commended. It is a responsibility I believe we as legislators in Ontario have, not only to the people in this province but indeed to show leadership across this country, and may I say at the risk of overstretching our boundaries too much, a leadership role internationally. Because we are blessed with abundant water resources, I believe we have that responsibility, as the member has so very well taken up in this bill.

Mr Cousens: I would like to applaud the member for Lincoln for bringing forward a motion that has a great deal of thought behind it. He has a genuine concern about the resources we have in this province. Certainly his intention is an honourable one, to see what we can do to preserve our water supplies. Conservation is a term that existed long before we ever entered this House and we have to work towards it.

I want to begin with a compliment, because what follows is not all that complimentary. I happen to believe the member for Lincoln is an honourable man and his intentions are of the highest order, but what follows does not necessarily come under the category of laudatory comments.

If, through this bill, people become more concerned about conservation, if those who are taking in this debate will understand that each of us can contribute to the saving of water supplies through improved shower heads, taps, toilet fixtures and other fixtures in the home, that in itself will mean the debate is not totally a lost cause. But I believe there are matters in the bill that require some alternative point of view and I will try to bring that to the table.

There is another thing in this bill that is of a positive nature. I do not think there is any doubt that people across Ontario and North America who have such resources are now trying to save money and not use them any more than they have to. The power bill itself is an example of where the costs are going higher and higher, and because of the

cost of electricity, people are beginning to turn off lights on their own. They can see there are dollars to be saved.

I cannot believe the government has paid \$7 million to send out light bulbs to the people of Ontario to try to get them to save electricity. At least it is not coming along with free shower heads for people to try to save water. The government should not do it that way. This bill does not bring up the worst things that are coming from the New Democratic government; that is, sending out free light bulbs so people will save electricity. That \$7 million could have been used for the 911 program. It could have been used for many other programs across the province. At least here the government has not tried to give them something for free.

I believe there are a number of issues that should be addressed in the bill before us. The first one has to do with a cost benefit analysis. Some remarks were made by the member's very close and dear friend from the Liberal Party, the member for Brampton North, who is obviously supporting this bill. Like the member for Lincoln, he has not thought through all the elements. It makes it very easy for the Liberals to go along with the New Democrats. Any time they have a chance to go to bed together, it seems they can crawl up under the covers and say, "We at least agree again."

I wish they would come out and have a cost benefit analysis that would allow people to ask, "Why is it in my best interest from an economic point of view to start doing something to help the ecology of our world?" In other words, what are the real numbers that are going to come into it to save people money, for instance, in Metropolitan Toronto and different other areas where they have to pay for their water? How much can a family of four save in a year, and how much extra is it going to cost if they install, when they are making modifications to their home, shower heads and taps and toilets and fixtures? How much extra is it going to cost them? Then how much is it going to save them?

One thing that never comes through from the New Democrats and the Liberals—I do not want to let them off the hook at all—is any kind of cost benefit analysis. They should figure out what it is going to cost people and say, "If you spend this, you are going to get this in return." There are going to be intangible benefits that help the ecology, but there are also going to be tangible savings that are going to help people have something back in their own pocket. What is the return on one's investment? What we really want to know is that there is going to be a return for the money that is spent for these fixtures.

Where there can be, there should begin to be far more explanation of the fact that it is going to cost people and then there is also going to be a saving. One thing socialists do not understand is cost benefit analysis because they happen to think everybody has money and money does not matter. I cannot believe that is the way the people want to operate.

That has to do with this bill, but I am leading up to other points, because to me that kind of information could be available and should be available and should be part of any kind of explanation.

Why is it that when this government comes along with a bill like this, as well intentioned as it is, it does not give any notice of it? My friend the Liberal counterpart from Brampton North has a little bit of concern about it. I have a lot of concern. This bill, if it were passed the way it is, would come into force the day it received royal assent. Ladies and gentlemen of the Legislature, that is exactly the way Bill 4, the rent control act, was done: no notice; in fact it was retroactive.

This government has no understanding that there are huge stocks of inventory that are not moving right now. If you have a plumbing supply business and you happen to have some toilets, shower heads and taps, you have a stock already. The member for Brampton North says, "Let's have an innovative way of getting rid of them." What is he going to do, sell them to the United States, sell them to California? They do not want them in California, because they know what it is to be short of water.

We know how rich we are with our water supply. We know it is an invaluable resource that has no price tag to it. But he is talking about all those investments that are held across this country, especially in Ontario, whereas with this bill we are talking about people who have money tied up now for this equipment. How long is it going to take them to get rid of it? The way this government is driving the economy into the ground, they are never going to be able to install their existing inventory because no one is building houses any more. You can sure tell that when you come through my riding. There is no building going on to speak of.

Those people who already have a significant investment in the products we have been talking about here are going to be stuck with them. The Liberals say, "Give them a year." A year is not enough time for a business to deal with it.

Mr Speaker, could you quiet this rabble down here? The Speaker is not listening either. This is terrible. Here we are in the Legislature. I try to get the Speaker's attention to quiet down my good friends over here. I am listening to myself, but that is probably all that is really happening. It is just terrible in this Legislature. I wish you would quiet those critters down, Mr Speaker. That is all I was trying to get your attention for.

1030

Mr Kormos: Listen, we are on your side.

Mr Cousens: You cannot tell it. Come sit over here. We could use a few more; 20 are not enough.

I am concerned that there is not notice to allow industry and business to really deal with this issue by making this law come into effect right away. I have a feeling, and the New Democrats all have the right words and the Liberals are coming along and supporting it, that I will probably be the only one voting against it. You just never know. I do not like the way the government is saying that this act comes into force the day it receives royal assent. It goes down the hall, the Lieutenant Governor will sign it, and then it is law, and anyone who is in the process of installing fixtures in his home will be breaking the law.

Ontarians do not want to be breaking the law all the time; they are doing it enough now with the GST and the under-the-table things and other things going on. All we are doing now is creating more barriers between the population of Ontario and the government. The government is saying: "We're making this a new law. You have to follow it. It has to be right away. There isn't any notice." What it has ended up doing, then, is forcing people into being lawbreakers. I do not think the people of Ontario want to be known as people who are breaking the law.

The government should give some notice. If there is anything I have learned as the Environment critic for the last year and a half, it is that the industry out there is saying: "Don't make such fast changes in the law or in the regulations that affect us without giving us some chance to react to it. We're not able to do things at the snap of the fingers of the government." The Minister of the Environment does that regularly. She comes along and says, "It's not to be done tomorrow or today, or retroactively."

May there be some sense behind this bill and other bills like it that gives a window of opportunity for people to react to it. The government should not make it come into effect the day it receives royal assent. One year is not enough time for things like this, especially when you have inventories, probably millions of dollars' worth of inventory, and it is just not moving right now. What are they supposed to do with it, throw it out? Is the government going to subsidize them for it? Is the government going to come along and pay down the inventory they cannot use?

To me, that becomes a problem for business. It is hard enough to operate a business today, but when you have stocks of inventory and now you are going to have to throw it out because the government has made a law to make illegal the use of existing toilets and existing shower heads and other fixtures, I say the government should back off a little. It should not just feel it has to legislate something. Instead of having no notice, they should spend more money on education.

If only we could get people who want to do things that are going to help conserve our ecology and conserve our resources and have people buy into it because they believe in it, buy into it because they are going to get something back.

I think those benefits are there to be found. They are there to be found because the cost of water is going up. It has gone up in our community. There is a water surcharge we have to pay now, and the cost of sewers is going up. In fact, the cost of water is going to break through the roof once people really start paying for the infrastructure that is there. There is not any doubt that in our own city here in Toronto and across Ontario in many municipalities, you are talking about billions of dollars in order to repair the infrastructure. The leaks that exist already in water mains that are just seeping away large amounts of water—some of it goes back somewhere, but we have a major problem in that we have had water so cheap that once we start dealing with the real value of water, the cost of it is going to go up and then people will have more and more reason than ever to say, "Hey, I'd better do something about my fixtures and make sure they're coming along."

One of the other concerns I have is, why another law? Just because we are paid to sit down here 26 weeks of the year, does it mean we have to keep passing laws? The people of Ontario are sick of this place because of all the laws we are passing. We do not feel as if we are doing a job unless we are passing another law, and it is just getting worse and worse. All the government is doing is punching them in: "Hey, come on. We've got another one for you." People are so tired of the fact that the government keeps telling them what they have to do. May the government find other ways of getting people involved rather than just passing these laws.

I remember Claude Bennett when he was Minister of Municipal Affairs and Housing. He said, "Probably the biggest favour we could do for the province right now is let the House have a year's holiday and not pass any laws." The statutes came into my office this week. If you stack them they are this high, and that is in English. If you have the French, they are twice as high. I can only read half of them. Too many laws in the province, and what the government is trying to do right now is add another law. Is there not another way of trying to bring it in?

We have a new area developing in Markham. It is called the Markham East project. I am going to use the member's motion as an idea that I will bring forward. It is a brand-new subdivision of some 600 acres that is going to be expanded by the province of Ontario. I will put together a resolution in the House that we call for the highest environmental and ecological standards to be built into the homes that are constructed in this new subdivision, so that we will require the fixtures and the toilets and the intent behind the member's bill to be there in all these new homes and structures that are built, not just the homes.

I believe in what the member is trying to do, and there are ways in which it can be done. Let that become a model community, as indeed the rest of our community is.

But to come along and have another bill passed into law, not giving the time for people to really understand its ramifications, not having spent the time to educate them even more on the value of conserving our very valuable water supplies—these are elements missing from the bill. They were not missing from my good friend the member for Lincoln's preamble when he began his presentation, but the bill itself will come into force the day it receives royal assent, and I think we have had enough of these fast acts by the province. It is time we slowed down a little bit, had a little more time to work it through within the communities and allow people to buy into the whole purpose we are all interested in, and that is to save our country, save our land, save our water and save money.

Mr Fletcher: It is a pleasure to rise and support my colleague the member for Lincoln and his private member's bill, Bill 141. Before I start what I want to say, I want to respond to what the member for Markham was saying as far as cost-benefit analysis is concerned. That is strange coming from a party that is about \$3.5 million in debt, wanting to do a cost-benefit analysis when it cannot keep the cost of its own debt down.

As my colleague mentioned before, the current increases in water consumption can be traced to inefficiency.

All water that is treated, whether it is being purified for use or being treated for discharge, requires chemicals and energy, both of which lead to higher costs. Our society has changed so much over the years to a conserver society, and it started when the Conservatives were in power, the third party, and also when the Liberals were there; their initiatives also helped changed society towards a conserver society. I think in this society people are going to respect the member for Lincoln's bill and the intent of the resolution. It is also bringing to the attention of our society the need to start conserving our most precious resource, and that is our water.

If the current growth in water usage continues, municipalities are going to be forced to expand treatment facilities or build new ones. Of course, all this would cost the taxpayer in the end. We know the taxpayers of today are getting sick and tired of rising costs for the services provided to them.

Also, if we look at the new construction that has been going on in this province, we see that the trend is towards a conserver society. It is also towards using what energies we do have. In new houses the windows are facing more to the south to collect sunlight to help heat the houses. Solar panels are being used to warm water. Our citizens, especially the citizens of Guelph, my riding, are more than anxious to start conserving our energy resources and water resources. The water in Guelph, which was partly tainted last year, is well water, and the people finally began to realize just how precious this resource was.

As far as what this is going to cost the people of Ontario is concerned, I think we have to look farther down the road. If we do not start, what is going to be the eventual cost? We see what has happened in California, where water resources are so low that people are crying for water. That can happen here. If we do not start now—and I think the member for Lincoln has started the ball rolling with this bill—then we could be the people of California tomorrow, saying, "Where is our resource, where is our water?" Right now it is a timely bill and I want to congratulate the member for introducing it, and it has my full support.

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Mr Cooper: As the member for Lincoln has introduced this bill and has spoken highly of Waterloo region and the efforts it has put into finding solutions to save our water, and as I represent the riding of Kitchener-Wilmot, the Kitchener part which is basically suburban residential and the industrial basin, which makes them the largest water users in the region, and as I also represent the township of Wilmot, from where the region draws a lot of its water, I feel I should speak on this briefly and support the bill.

What we are talking about here is new homes being built, but in Waterloo region they have taken a new approach, which is basically education. This is part of the education process: By getting new homes built that will be saving water and helping us in the future to reduce the use of water, we can send out an educational package that would get people thinking in the right frame of mind.

Never mind the cost factor; what is the cost of not implementing these things?

What we are talking about in Kitchener right now is pipeline possibly. I am saying that if we get a reduction in water use, we could probably put off the pipeline. And we should use the facilities available in the region, like the Waterloo Centre for Groundwater Research at the University of Waterloo. This facility is second to none in North America, and if we use this facility we could find solutions and maybe avoid putting the vast amounts of money that are necessary for a pipeline and start building up our infrastructure, such as our water treatment plants and maybe distribution system. If all these things are combined, obviously we will have a better solution and it will be cost savings in the future.

That is why I rise in support, and I understand there are several members on this side who would like to speak to this, so I will defer my time to the next member.

Mrs Caplan: I am pleased to have the opportunity today during private members' hour to speak to the member for Lincoln's bill, which is An Act to amend the Ontario Water Resources Act. It is an important issue that is of concern to me as the member for Oriole, whose riding is in the heart of Metropolitan Toronto and is substantially developed. We may be seeing over the course of time some renovations and changes, but there are not huge tracts of vacant land in Oriole and therefore I would suggest that my constituents are like many people in this province who have taken the vast water resources for granted. You turn on your tap. You turn on your shower. We have never really concerned ourselves about the need to conserve our water in this province. Therefore, I will be supporting this bill in principle, although I think there are some serious concerns that would have to be addressed before this bill could be implemented.

I am a little concerned with some of the comments of the member for Markham because I believe it is important that the people of Ontario, such as my own constituents in the riding of Oriole, understand that we have always taken both quantity and quality of water for granted in Ontario just as we have taken for granted the supply of energy and power. Both of those, water and energy, have been the cornerstone of our economic prosperity. These have, because they have been taken for granted, sometimes not been used as efficiently as they can be.

Because we are all concerned about our environment because we are concerned about future economic prosperity, I think it is important for us to look at the issue of water conservation, and at effective and appropriate use of all our natural resources so that we can continue to have economic prosperity at the same time as we have an ample supply of clean water.

If we use water ineffectively, if we do not conserve and protect the resources we have, this puts enormous demands on our sewer system. I think the statistics my colleague the member for Brampton North mentioned, the statistics around waste, are important for the people of this province to know. The waste that comes from using inefficient plumbing, whether it is toilets or water through shower heads, is something that is costing us. It is costing

as taxpayers because we have to build new sewers. It is costing us as taxpayers because our environmental concerns are not being addressed and we then have to clean up the effects of this wastefulness of the past.

I have some of the same concerns that were expressed by the member for Brampton North. While I will be supporting this in principle, I would like to suggest to the member for Lincoln, who has brought this bill forward, that it is very important, when bringing in a bill like this that will increase public awareness, that we have a plan which will provide incentives for public education and for municipalities, which are the closest to the people, to bring forth the kinds of initiatives we have seen from the municipalities of Waterloo, Wellington and Niagara Falls.

Niagara Falls has a municipal bylaw now that requires new hotels to install water-efficient shower heads. We know that in Waterloo and Wellington, they have brought forward a bylaw very similar to this, as have municipalities throughout the United States where they have water shortages.

I happen to know at first hand, because I have family that lives in Los Angeles, that they have a very severe water shortage and so they have taken all kinds of initiatives to conserve and save water. We have been very fortunate in this province. We have an opportunity today to bring forth the kinds of initiatives that will be friendly and save our environment for the future, for our children and grandchildren, and that will save taxpayers money today and in the future because we will not have to have the kind of infrastructure that would look after waste. We want the infrastructure to look after what we need, but we do not want to have to build sewers and sewage treatment plants for water that has been wasted unnecessarily.

I want to point out how important good maintenance is. This bill does not provide for a maintenance strategy and a public education strategy. I think that would enhance this bill. We know the Ministry of Housing has a great opportunity as well to raise awareness.

I do not think there is a lot of concern about the principles and the thrust, but there certainly is in the definition of "building." There are concerns around phase-in. We cannot have this bill come into effect on the very day it is proclaimed. We have to allow the public education campaign and the phase-in that would allow for the proper incentives. I think there is an important role and opportunity for the municipalities that this bill does not address.

On behalf of my constituents in the riding of Oriole, who are just beginning to understand the need to be effective and efficient in our use of water, power and those natural resources that we take for granted, I will be supporting this bill in principle. It has allowed for an important debate in this Legislature, but this bill is far from perfect. It needs significant discussion and amendment. I hope the member for Lincoln would seriously consider amendments to this bill so that we could see it enacted in this House.

Mr G. Wilson: I am pleased to rise to join this debate that the member for Lincoln has initiated. I can see that with the debate that has ensued, the constructive criticism

he has met, he is indeed becoming flushed with pride over bringing this into the House.

Some hon members: Oh.

Mr G. Wilson: Is that the first time that has been used?

I have to say, as several members have pointed out, that it is a province-wide problem. Certainly the examples we have used show it is a worldwide problem, the conservation of resources that we are dealing with here. In my own riding, we have an issue that highlights this problem in that we have to upgrade our sewage treatment plant at the cost of millions of dollars. As has been pointed out, if we could reduce the inflow into that plant, then we could make a significant saving.

I want to say too that although several people have mentioned that the problem has come to the fore recently, I took the opportunity to go into the library just to see what literature there was on this issue. It is quite easy to come up with some startling statistics.

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For instance, a conventional toilet uses 19 litres for flushing. An air-assisted unit would reduce that to two litres, for a saving of 89%. A clothes washer uses 140 litres. Front-loading would reduce that to 80 litres, for a saving of 43%. Shower heads use 19 litres a minute; air-assisted would reduce that to two litres a minute and that is a saving of 89%. For faucets, the conventional litres per minutes are 12. A flow-limiting faucet would reduce that to six litres, for a saving of 50%. Members can see that there are some very significant savings that could be achieved by using the implements that are mentioned in the member's bill.

There are also some more innovative ideas I came across in a recently published book, a term called xeriscape, which is a strategy for changing monocultural lawns, that is, all lawns that are just devoted to grass, to more innovative uses of that kind of space that would free up not only the time it takes to look after a lawn, but also the amount of water we put on it and the amounts of herbicides some people use on their lawns. You have a saving too in the amount of waste that would be removed from the lawn. Studies have shown that approximately 20% of municipal waste consists of grass clippings and other yard trimmings. There is a significant saving, not only in the water that would be used but in the waste that is at the other end.

I think there is a point that has been raised by a number of members: the savings we would have here in the energy that is used to heat water. Certainly the implements that are mentioned in the bill would cut down on the amount of water and cut down on the amount of energy that is needed, but also in the treatment of the waste water that we produce.

These statistics are readily available, as I pointed out. It just requires going to the library or listening to a debate like this and you know that significant savings can be achieved. The question then is, is the political will there?

I think the member for Markham highlighted that difference, that if you take the individual approach you might

not realize all the implications. For instance, are people aware of the significant loss in sewer lines or even water lines? It takes, I would suggest, a social approach to this problem. By coming together to debate it, as we are doing here, we can see the problem and then look for solutions that I suggest require a community approach, because it is certainly at the community level where it can be felt. Beyond that it is a global issue.

I want to mention too a recent conference that was held here in Toronto in June, sponsored by the faculties of engineering at Ryerson Polytechnical Institute and the University of Toronto, as well as some professional engineering groups, to show that professional engineers are aware of this problem and are working on it.

An article entitled "Engineers, Scientists Call for Sustainable Society" has this quote: "Technological transformations must go hand and hand with economic, sociocultural and political changes. We're heading for a disaster if we don't take any action."

It is significant that we know there is a problem, but beyond that, as these studies show, I think we will have a lot better society if we meet this crisis. It is not just a question of a disaster that we face but a much better way of living if we live a more ecologically sensitive lifestyle.

Mr Farnan: I appreciate the opportunity to address this private member's bill this morning, An Act to amend the Ontario Water Resources Act, by my colleague and friend the member for Lincoln.

The member for Lincoln and I have shared offices next to each other since he arrived at Queen's Park and we have often had the opportunity to discuss issues together. I can tell members I have been extremely impressed by his enthusiasm, dedication and commitment. I have been around here for four years now and I can say that the member for Lincoln is one of the hardest-working MPPs I have ever had the pleasure to work with.

There are two characteristics that stand out in my view of the member for Lincoln: his determination to serve his constituents in Lincoln and his commonsense approach to issues. He is a very practical politician, I can tell members. In addressing issues, he is a realist. He is more concerned with what is possible than with grandiose ideas that may never materialize. He takes on tough issues, and that is why he has taken on the issue of water conservation. It is an issue that would daunt many people, but he has approached the issue and he does it in his own straightforward, inimitable way. He asks the straightforward question and then he provides practical, commonsense solutions that can be implemented.

We have seen many private members' bills come forward in this House, and all of them, I would hasten to add, have merit in their own right, but often they are lost because, quite frankly, they are not practical. That is the difference with the member for Lincoln. When he brings forward a private member's bill, members can be absolutely sure it is going to be practical. It will hit the tough issues, but it will have a manner of addressing those issues so that you can say, "If we do this, we'll be moving towards a solution."

As I have listened to people around this chamber this morning, even those who attempted to criticize the bill were consistently saying, speaker after speaker, "We agree with the principle of the bill." Of course they agree with the principle of the bill, because the principle of the bill has merit. It is right. It should be done. What is to stop us as parliamentarians, when this bill goes on to committee to come together and take the positive contributions of all members of the House?

That is the kind of politician the member for Lincoln is. He is not stubborn. He does not wear blinkers. He comes forward with an idea, and I can tell members that when this goes to committee, they will find in the member for Lincoln someone who is a conciliator, a mediator, a practical politician who will take the best of all the suggestions and will be prepared to fine-tune his legislation so that it then can receive the unanimous support of all the members of this House.

Not only is he a practical politician, but he is a practical politician who speaks from the heart of the philosophy of the New Democratic Party. Let me say that when the member for Lincoln sits down and asks, "What contribution can I make?" he looks at the importance of conservation within the entire New Democratic agenda, and being the kind of man he is, then goes and brings forward legislation that will support the government's overall policy direction. That is the kind of New Democrat he is, that is the kind of government member he is.

On the local scene, Waterloo region has been a pioneer in this area. We are proud of our industries in their efforts to conserve. We are proud of our region. We are proud of our school board in its education policy. We want this government to lead in conservation. I congratulate the member for Lincoln for taking that leadership role.

Mr Hansen: I would like to thank the member for Brampton North. In the bill I said all structures; it does not matter whether it is a cottage or an industrial site or wherever it may be. All toilets use so much water, so I think we have to take a look right across the whole province.

The other thing he is concerned about is these old toilets and fixtures going to dumps. The metal ones can be recycled and the toilets can be ground up and used in road construction. Those are two areas I did not get into in the very beginning.

It is very important. I think my friends the member for Markham and the member for Brampton North were talking about the phasing in, and that is something my friend had stated, that there has to be some fine-tuning here. I take the criticism quite well and I think it is useful in this particular bill. I think the cost-benefits, the costs that will be saved, also have to be looked at and passed on to the tenants or the householders in the end.

To wind it up, together with conservation education, Bill 141 will lead to a water-efficient Ontario. Examples have shown that efficiency units make an immediate difference to savings that can be easily made by municipalities and eventually the consumer. Bill 141 is a starting block. It will set the standard for the future. We have just recently realized that Ontario's water supply is not endless and that we must start to conserve in order to preserve

ean water for our children and grandchildren and the generations ahead.

00

UNIVERSITY CROWN FOUNDATIONS

Mr Daigeler moved resolution 31:

That, in the opinion of this House, the government of Ontario should follow the example of British Columbia and establish immediately crown foundations at Ontario universities to increase private sector incentives for making major charitable contributions towards higher education.

Mr Daigeler: It is indeed a pleasure to speak to what I think is an important initiative to help our universities at a time when they are under severe stress in terms of their finances. Let me explain a little bit, first of all, what this particular resolution is all about, as I am sure not many members of the House may be familiar with it. It is a tax measure, and tax measures are always rather intricate, so I am sure the members want to know a little bit of what is behind this resolution.

The members will know that under the federal income tax, individuals can reduce their annual taxable income by 20% if they give that amount to registered charities. Of course, I encourage all members of the House and the people who are watching today to make use of that particular provision because many of our charities very much depend on those kinds of contributions. Our tax system wants to encourage people all across the country to contribute in that way to charities.

However, this 20% limitation does not apply if you make donations to certain government bodies; for example, to government bodies associated with medical research. In fact such gifts, called gifts to agencies of the crown, are fully deductible. In other words, donors can get 100% tax deduction against their net income. Given the tight fiscal situation of our universities, not just in Ontario but across the country, they have argued for some time that provinces should establish crown foundations or agencies that act on behalf of the government and therefore on behalf of all people. These foundations would be wholly owned by and be agents of the provincial government. Therefore, private donors to these university crown foundations could obtain the full tax deduction for their donations to the universities, without the 20% of net income limitation.

As I said, the funds raised would be used to support university programs. In this way, the tax saving for the donor would provide an ongoing benefit to the university community and as such, of course, to all the people of that particular province where the crown foundation is being established.

You may ask, Mr Speaker, and some citizens of the province may ask as well, whether the federal government, which is responsible for the Income Tax Act, will allow a 100% tax deduction for this university purpose. I am pleased to say the answer is yes. In fact, British Columbia has been a trailblazer in this matter. That province got a ruling from the Department of National Revenue and passed the University Foundations Act in 1987. It became effective on December 11, 1987. I have a copy of that act

in front of me, and I should acknowledge the help and assistance of the Council of Ontario Universities in that regard. They sent me a copy of this particular act.

Ever since British Columbia passed this particular legislation, this concept of establishing crown foundations and therefore giving incentives to private donors has been widely discussed by the university community. Here in Ontario, Queen's University has been particularly active in this regard, with, I should say, the support of other university presidents. In fact it was at a recent visit to the University of Western Ontario that this issue was first brought to my attention as the Liberal critic for the Ministry of Colleges and Universities, and also to the attention of MPPs who represent the greater London area.

I should acknowledge that the University of Western Ontario has a very excellent practice of twice a year inviting members from the local area and also members of all three parties who are responsible for the university's portfolio to come and hear more about the concerns of the university. I think that is an example that could be followed in other parts of the province.

On April 25 of this year, the principal of Queen's University wrote to the Premier saying the creation of crown foundations has the potential of providing significant benefit to all. I have a copy of that letter in front of me and I would like to quote some paragraphs because I think it explains very well the benefit of this particular initiative to the universities and to the province. Mr David Smith, the principal of Queen's University, writes as follows:

"The concept has very important public policy implications. It provides an incentive to those in our society who are most able to contribute to increase their support for our public universities. Once the decision to make a substantial gift to higher education is taken by a potential donor, the existence of the crown foundations at Ontario universities may significantly increase the size of the gift....

"The fact that some provinces"—and I mentioned British Columbia—"have already provided for the establishment of such crown foundations at their universities places Ontario universities at a distinct disadvantage. Members of our own group have lost significant potential gifts to other provinces because of this fact. Queen's University has one benefactor who had indicated that our gifts would have been fivefold if we had a crown foundation in place."

To the Premier therefore, "We urge that immediate consideration be given to the advancement of the process of creating crown foundations at Ontario universities."

My resolution today has as its objective precisely that, to make sure the Premier and this government move quickly on this request that was put forward by our universities.

We all know that higher education in this province and across the whole country is strapped for money. To increase private donations to universities is obviously one way to help them out. It will not, obviously, be the only way and the only solution, and perhaps not even the major solution to their funding crunch, but it is a solution, and it is a solution that is practical and immediately available, with enough political will. I hope the members will support me. It can be implemented quickly and without much bureaucracy.

There will be some cost to the province and the federal government because they are losing out on some income tax revenue. But of course, since BC already has crown foundations, individual donors could just make their donations to BC—in fact they have—and Ontario would thus lose the tax revenue anyway. Moreover, this initiative could be seen as a way to allow people to pay their tax for a particular purpose—to designate their tax, as it were. I think we are all agreed that higher education is a very worthwhile purpose in this regard.

I note that my time is unfortunately up already. I hope members will support my resolution.

1110

Mrs Cunningham: It is with pleasure that I speak to this resolution in the House this morning, presented by my colleague the member for Nepean. We were very pleased to have him at the meeting at the University of Western Ontario a couple of weeks ago, where he saw how that university was struggling to maintain the programs and the staff and the quality of the education system we have come to enjoy in Ontario. He was also there to see how difficult it is in these times for our students as they face the challenges and the expectations to be able to compete in this global economy in a way that we ourselves never, ever thought would be needed. I have to say I think this is a very forward-thinking resolution. I hope it will receive the support of the government.

There is a precedent in the province of British Columbia for this. I could quote from many letters in the past number of years where donations to our universities have had to be returned because there was no incentive for the estate, in many cases, to make these presentations, based on the amount of money it would be involved with in terms of taxation.

In October of this year, the University of Western Ontario brought to my attention an issue where an estate lawyer in British Columbia working with a graduate of the University of Western Ontario now working in British Columbia suggested that our university may not receive \$500,000 from a bequest because the estate would be unable to use more than a small fraction of the \$500,000 charitable receipt as long as the 20%-of-income rule applied. So I think the member for Nepean is very timely in this presentation, and the government would be very responsible if it responded in a positive way as quickly as possible.

That particular lawyer is recommending that his client leave that bequest to the appropriate crown foundation in British Columbia, for the use of the University of British Columbia. Although that is a wonderful province to visit, and many of our young people spend time working in that great province in the summer, especially in the forestry industry, I would advise that here in Ontario we ought to have at least the same advantage when it comes to private donations on behalf of our universities.

We know that university students are facing many challenges. Post-secondary institutions are struggling to maintain excellence, there is a shortage of permanent full-time faculty, and buildings are rapidly deteriorating. Stu-

dents are finding themselves in overcrowded classrooms with outdated facilities and equipment. It is becoming more difficult for students to learn in the environment they are being subjected to.

Without the resources to produce the highly skilled workforce and advanced research facilities, Ontario will be unable to compete in today's global markets, either inside our own country or around the world. We are currently experiencing job losses during these times of economic recession, and it is more important than ever before that we support creativity, competitiveness and commitment to a well-educated workforce.

We must remain in the forefront of scientific and technological development and educational achievement if Ontario is to maintain its competitive position in today's global economy. We know that Ontario's universities in the past have made, and hopefully in the future will continue to make a major contribution to this province's competitiveness, and that they do indeed play a vital role in the development of highly skilled human resources.

On Monday this week we saw a new alliance, the Alliance for Ontario Universities, release a study that demonstrated the vital contribution universities make to the economic stability of the province. The study interestingly showed that each year universities pump some \$6.2 billion into the economy, and more than 138,000 jobs are associated with university operations. They receive approximately \$1.9 billion from government, which means for every dollar we invest in our universities, our universities generate \$3 in the way of real dollars to our economy; for every dollar we spend on universities, they in turn inject into our economy \$3, not to mention the number of young people and graduates around the world who make this country a country others want to invest in.

Last year the Council of Ontario Universities released its recovery plan, which suggested ways to improve the quality of educational experience for all students. On Monday of this week, again, the alliance released this impact study. I asked the minister that day where his government's multi-year plan was for universities. We did not get a specific response, which means this government is struggling with the kinds of resources it is going to be able to put into the universities. I feel, as they have said themselves, as they look to the private sector for more support, as they look to students, perhaps, for more support, that today gives us a very specific idea and ultimately plan and ultimately tool to attract that kind of private sector support we need.

In Toronto, York University had to sell its property to provide the kind of new construction and buildings and some of the services the students need in order to attend that university campus in this city, which is very far out and does not have good transportation. We now have much better facilities for the students, but we only gained them because they, in turn, sold property to generate the kind of income that was necessary to support the program they needed, because this government just did not seem to have those resources. I thought it was a responsible thing for them to do on behalf of the students.

We now have a timely opportunity right here, and my colleague the member for Nepean has clearly identified the problem in British Columbia. We too have talked to them. In fact, we were out there for the Commonwealth convention this summer and took the opportunity to meet with a couple of the ministers and certain other representatives of their House to see the kinds of things they were struggling with and some of the responses they were able to make in a responsible way to taxpayers. This is one of them.

I should say that the staff from the Ministry of Colleges and Universities confirmed that this idea is something they had been considering, and I feel the concept is something the government will be speaking in favour of today. If the resolution passes, that will be a good thing.

From the standpoint of the provincial and federal governments, they are both going to lose income taxes if they create such a crown foundation. We know that seems to be the downside for them. But on the other hand, they would provide the needed incentive to greater revenue for Ontario universities by increased donations. If the Ontario government has a solid commitment to higher education, it cannot afford to pass up this resolution today.

Although we know there are legal costs and administrative costs, we do know that the crown foundation in British Columbia is basically a board consisting of five members who are appointed by the Lieutenant Governor in Council on the recommendation of the Ministry of Advanced Education, Training and Technology. They are voluntary positions and the universities take care of all the accounting and reporting, so the ministry is not involved in an excessive way with regard to time.

It is with honour that I speak to this. I congratulate the member for Nepean for this resolution today. Our party will be supporting the crown foundations, and we hope the government will act quickly.

20

Mr Lessard: I, too, will be speaking in support of establishing crown foundations at Ontario universities. There are several reasons I am going to support this resolution, one of them being that when bills and resolutions come up on Thursday mornings during private business, many times I ask members of my community what they think about these issues.

On Tuesday night I happened to be at the roast for retiring Mayor John Millson. I spoke to the president of the University of Windsor and asked him what his impressions were of university foundations. He felt that this was an initiative that should be encouraged and pursued by the government.

Of course the University of Windsor, notwithstanding the comments in the ranking of Maclean's magazine, has a reputation as being an excellent university in Ontario. The law school, of which I am a proud graduate, is rated close to the top of law schools in Canada, the business school has a great reputation as well, and graduates of the school of dramatic arts are performing around the world.

The University of Windsor is one of the few growth industries in Windsor. It is a city that has been very hard hit by the free trade agreement and the change in industrial

development. However, in order to maintain that position, that reputation of excellence and that growth in our community, it needs financing. Of course, it is difficult for this government to contribute additional financing to the University of Windsor or to other universities.

I want to state that this government is committed to post-secondary education in Ontario. It is a commitment, unfortunately, that is very difficult for us to meet: to increase the financing of universities at this time. Everyone knows the difficult financial position we are in. The only way to increase our commitment to post-secondary education is to look at alternative means of financing, and this is one.

The sad legacy we have been left with is that on a per capita basis funding for universities has actually decreased in the past few years. This is something we are now stuck having to deal with. Not only are universities concerned about that, students are concerned and they are upset as well. I learned how upset they were a couple of weeks ago on the front steps of the Legislature with the Minister of Colleges and Universities, to whom I am the parliamentary assistant, when a group of students protested loudly that they felt that universities were being underfunded, and they were throwing macaroni at me and at the minister.

I want to say to the students of Ontario that I think there are probably better ways for them to express their opinions, and they need to recognize we are all in this boat together and we need to work together to try to address those problems.

I know students are upset by things like GST on textbooks. They are upset by the 3% levy on Canada student loans that was imposed by Brian Mulroney and the Tory government. They are upset because they see their future job prospects being sold out to the United States and other countries as a result of the free trade agreement.

But as I said, notwithstanding all those factors, we still remain a government committed to post-secondary education, and some of the things we have done to support that commitment we did very early on in our term. We committed close to \$100 million in anti-recession capital to the post-secondary system. This created jobs, this permitted schools to be able to complete projects that had long been neglected through 13 years of underfunding. It permitted buildings at the University of Windsor to be constructed, like the Odette School of Business. It permitted the faculty of education to finally move on to the campus. There were also many projects to permit access for disabled students.

The government has put forward an agenda to increase access to post-secondary education. We have established a native education strategy. We have contributed \$3 million over two years to increase safety for women on campuses. We have made reforms to OSAP to help mature students and part-time students and international students. But we know more needs to be done, because we know that what we need in the future is a well-trained and well-educated labour force. We also know that the post-secondary schools will be a strong component and an essential part of economic renewal here in Ontario.

We are supporting this resolution to establish foundations here in the province because we see this as a positive

beginning. It is not the complete solution, but it is something that will encourage those who are able and willing to contribute to the post-secondary education system. We want to encourage that.

It is our information that these types of foundations could be expected to generate up to \$10 million in additional revenues to universities in the first year. The foundations would also raise the profile of the post-secondary education system. We need a strong system to survive economically. As I said, we need some innovative ways of funding education here in Ontario. This is just one way we would be able to do that.

Mr Conway: I am pleased to rise in this debate this morning and support my colleague the member for Nepean for his very thoughtful and timely resolution. It appears from what I have heard since 11 o'clock this morning that this will be one of those resolutions which will have either unanimous or near-unanimous support.

I want to make some observations in this connection because I think we are faced as a community and certainly as a Legislature, and my colleagues in the New Democratic Party are faced as a government, with very real budgetary pressures on the university account. I think as a result of not just those budgetary pressures but as a result of changing attitudes in the community, we are going to be forced to look at a series of alternatives we traditionally may not have looked at very carefully.

In this Legislature, and the previous speaker has indicated something of this, there has been a lot of debate over the years about underfunding in the system. He should not feel very badly, though I am sure he might have at the time, about having rice or whatever it was thrown his way. I cannot think of too many people associated with the Ministry of Colleges and Universities who, over the 25 years or whatever, did not have something of that kind, if not worse, hurled at them.

I do not ever remember a time here—and I was here for some of the salad years—when universities were not underfunded. It is an article of faith that they are underfunded. I do not expect any transfer partner ever to come here and tell us it has adequate resources, certainly not adequate resources provided by the government, of whatever partisan stripe.

I had a brief period when I served as minister responsible for this area, and I must say I have a real interest in and support for the university community. It was the one I had planned to spend my life in before I was sidetracked in 1975. In some ways I have a bit of a conflict of interest, because I have maintained a fairly close relationship with some of the Ontario universities since my election here as a graduate student some 16 years ago, and I think the universities have a very good case for our attention and for the levels of support that, in most cases, they have put.

1130

It is not, however, an absolute case, and I have been particularly struck by some of the recent reports that have been produced in this province and in this country. An old colleague and leader of mine, Stuart Smith, has just completed a one-person inquiry into Canadian universities,

which report has been talked about in recent weeks. I think my friend the member for Nepean may have said—if he did not say it, he intended to say it in his remarks—that the Smith study is an interesting one to review, because in that year-long or 18-month-long survey, Stuart Smith encountered quite a lot of interest, much of it positive, some of it downright negative in so far as the universities were concerned. He found, for example, a growing worry that universities are not spending as much time focusing on teaching, and in that I would tend to agree. We have an ethic now that seems to place research and the writing of wonderfully arcane treatises as being significantly more important than teaching.

I went as a graduate student to Queen's University and as an undergraduate student to the old Waterloo Lutheran University. When I look back on both of those experiences—

Mrs Cunningham: You are really dating yourself.

Mr Conway: I am dating myself. But one of the things I would say to the member for London North is that I remember most fondly both of those institutions, in different ways, because they both focused a great deal of their energy back in the late 1960s and early 1970s on the teaching aspect of their mandate. I continue to believe that teaching, particularly at the undergraduate level, is an enormously important aspect of the university mandate, and I think all university boards of governors and administrators would do well to reflect upon some of the criticism that Stuart Smith picked up as he did his cross-Canada survey of attitudes to Canadian universities.

The resolution before us asks us to consider that "the government of Ontario follow the example of British Columbia and establish immediately crown foundations at Ontario universities to increase private sector incentives for making major charitable contributions towards higher education." I support that, because I think it is timely and I think it would be helpful. I agree with the previous speaker, the member for Windsor-Walkerville, that we should not imagine that this is going to be any kind of panacea, because it is certainly not going to solve all the budgetary pressures that universities have.

I know from having had some recent discussions with people at Queen's University, for example, that they are very keen to see this kind of public policy enacted, and I am sure the member for Frontenac-Addington has been similarly petitioned in this connection. I would expect, for example, that Queen's University and the University of Western Ontario, both of which, I think, are officially on record as supporting this, would do quite well, whereas perhaps some of the newer universities in the province might have a bit more difficulty. This will be an interesting competition when this policy is decided upon. I would think that not all the institutions would be starting at the same baseline, if you know what I mean, Mr Speaker. But I do think it is a policy we should endorse and, I have some reason to believe, the government may in fact be very favourably disposed towards.

There are some real problems, as I say, in the financing of our post-secondary institutions. I have believed for

me time that we should be looking for some additional ways to assist the universities. That is why I have felt, however appealing it might be to some, the idea that there cannot be any student contribution in the form of tuition is just not realistic. I have defended reasonable tuition fee increases over the years and I will continue to do so, not because I want to unfairly single out those people of whatever age category who are participating in post-secondary education but simply because—I think tuition income represents about 17%, 18%, 19% of the total income pie of our universities—I do not think that is unreasonable, particularly when you look at the profile of who traditionally has gone to university.

If there ever was a middle-class commitment, it is the university commitment. We have tried, with varying degrees of success over the years—and the new government has some very interesting initiatives to widen the participation. I certainly would support that, but the fact of the matter is that, by and large, it has been a middle-class commitment, and those people who graduate with that wonderful certificate from Western or Windsor or Wilfrid Laurier or Queen's or Carleton will carry with them, we are told by the analysts, a certificate that will substantially increase their lifetime earnings. So there are those who argue, in the interest of fairness and equity, if Conway is going to spend half his life in university and benefit materially for the rest of his working life, why should he not make some kind of contribution to that not just intellectual stimulus but financial advantage?

I would say as well that government grants have increased, as I think many people have observed over the last few years. University administrators, if they were here, would say, "Yes, but they have not kept pace with real costs." To some extent that is true, because we have seen a very real pressure on the admission side, for whatever reason. When I think back to 10 years ago and the projections of where we would be, I think it was predicted by a lot of people that by about 1986, the total enrolment would peak and then it would start to trend downwards, when in fact that has not happened. That interest in attending university continues to be strong, and in some sectors and in some ways dramatically so. So I want to say that the increases our government provided, and certainly that the new government is providing, are helpful, but they are not solving all the problems.

The Provincial Auditor has been looking at how some of these universities spend the millions and millions of dollars we have provided. There have been audits at the University of Toronto, at Trent and at Guelph, and they have been very interesting audits. I think those audits should be carefully looked at by members of this Legislature, and I want to congratulate the auditor, because he went about his work professionally and has produced reports that are very careful.

The standing committee on public accounts has made some recommendations in its most recent report. Reading from the June 1991 report, our public accounts committee recommends that there be amendments to the Ontario Audit Act to provide the Provincial Auditor with the discretionary authority to perform value-for-money audits of

any government agency and all transfer payment recipients. In the case of universities, this audit approach will help to address the management accountability of each university's administration, while at the same time respecting the academic autonomy of these institutions.

I think in the main we are well served by our universities. I think over the years they have behaved quite responsibly, but there are aspects of the university question that bear very careful scrutiny. I have found that the doctrine of institutional autonomy is one that some in the university want to hide behind, to excuse some conduct that in a lot of other public places would not be tolerated.

I want to tell the honourable members that I have, as I say, a number of very good friends who work in the universities, and I hear some very interesting tales about what goes on. We are petitioned here by faculty associations and by administrative staff for more money, more money, more money, and that is perfectly fair and reasonable. But I was stunned while out for dinner one day not too many months ago a very good friend of mine, at a very distinguished, large university found in the city of Waterloo, told me that the average salary a year or two ago at a humanities department at that university was something approaching \$75,000. That had nothing to do with income earned outside that salary. In many cases, I know a lot of my good friends in the universities find a lot of very—

Mrs Cunningham: Kindergarten teachers get \$65,000.

1140

Mr Conway: Kindergarten teachers, I am told, get \$65,000.

My only point was that I remember as minister the data that were quoted to me about salary levels, and to be told that the average salary in that department was \$73,000 or \$74,000, exclusive of moonlighting opportunities, which are not inconsiderable in the university community, I say to my friend the member for London North, was just a very interesting revelation.

We should, as responsible members of the Legislature, not take hook, line and sinker every petition which is offered by whomsoever comes to ask for more money. I repeat, I think in the main we have been served rather well by the universities. I think they deserve the program and the policy the member for Nepean has put before us in this connection, but there are some very real issues attendant upon the university question—the issue of accountability. How are they spending their money? The audit at Trent University found some dramatic things. The farmers and the retail clerks in my riding, most of whom did not have an opportunity to go to university, looked at some of that with some degree of concern.

I do not know how many members have been following the debate in the United States, but Congress hauled before it the distinguished president of the endlessly distinguished Stanford University, who had to explain multimillion-dollar misappropriations of public money funnelled to Stanford through, I think, one of the defence accounts. I have not seen a congressional cross-examination quite like that in a while.

Of course the universities have important work to perform. Of course they should have the highest level of public support, and they deserve that support. But I am telling members, I am finished with any kind of uncritical acceptance of every petition from that quarter or any other. I know my friends in the university community, whether they are part of the professoriate or the administrative élite, will hear me when I say that this Legislature and its agents like the Provincial Auditor are increasingly serious about the accountability question.

I think we would do well not just to support this resolution standing in the name of my friend the member for Nepean, but also we have to become more vigilant about exacting an accountability from those good men and women who serve us in the university community.

Mrs Witmer: I am pleased to have the opportunity today to speak to the resolution of the member for Nepean. I represent the riding of Waterloo North, and within my riding there are two universities, the University of Waterloo and Wilfrid Laurier University.

Yesterday I had an opportunity to tour the University of Waterloo when I was there on the occasion of the opening of the Guelph-Waterloo audio-visual link. This is a very significant step forward. It was a partnership funded by business, Electrohome, the government and the university. It allows the classes to be taught simultaneously in classrooms both at the University of Waterloo and at the University of Guelph. It is a tremendous saving for the universities. It also permits the students to sit in one city and not have to drive to another. This is what we need to be promoting. We need to promote partnerships among business, the government and the universities.

Yesterday I witnessed the fact that universities are facing many financial challenges. There was certainly a shortage of space in the buildings. I encountered many students in overcrowded classrooms and in portables. There were outdated facilities and there was outdated equipment.

I think we have to remember that universities make a very vital contribution to the economic stability of this province. They pump \$6.2 billion into the economy and they receive \$1.9 billion from the government, which means that for every \$1 the government invests, the universities generate \$3. If we invest in our universities, we are investing in our future and in the young people of this country.

I support the establishment of these crown foundations, which would encourage more private donations. This is going to go a considerable length in alleviating the very severe underfunding problem at our Ontario universities. This is going to help that very critical financial situation. At the present time we see that our universities are jeopardized. Their ability to effectively teach and conduct research is in jeopardy. What we need is additional funding and we need a long-range recovery plan from this government.

As has been mentioned before, we already have these crown foundations established in BC, Alberta and Nova Scotia, and what this would do, of course, is to increase the incentive of the private sector to make very unique and outstanding charitable contributions to the universities in

this province. This would provide an incentive to those people in our society who are most able to contribute to increase their support for our public universities.

Unfortunately, because there is a situation in the three other provinces, especially BC, where they have already provided for the establishment of crown foundations at their universities, Ontario universities at the present time are at a very distinct disadvantage in their ability to attract major bequests and gifts. Many universities in this province have indicated to me that they have lost significant potential gifts to other provinces because of this fact, especially in BC.

The University of Waterloo in my own city is aware of at least a \$1-million gift that is pending. If this legislation were to be passed, that is \$1 million this university would not have to receive from the government, which is already stretched to the limit.

This type of philanthropy is vital to our ability to offer nationally and internationally acclaimed programs for the students of Ontario. At the University of Waterloo we have some of these programs that are world renowned.

We need to promote this concept. It is a concept that has been widely discussed and widely supported by the university community, and there is tremendous benefit for this government at this time, especially when it finds itself in a very constrained financial position. I would urge all the members today to support the motion to create the crown foundations for Ontario so that the young people in this province can be provided with the facilities, the staff and the equipment so that they can in the future make a contribution to this province.

As I indicated before, we need to look to our young people. We need to look at stimulating our economy. If we are going to fund those social programs, we need to create the wealth and universities help us in the creation of wealth.

At my own university, we have the Centre for Groundwater Research. This is a centre of excellence. It is supported by the Ontario technology fund. This centre is a world leader. People from Libya, Ukraine and China come to this centre in their demand for ground water technology, and this is one area where Ontario can compete globally and contribute to economic growth, because what has happened at this centre of excellence is that there have been spinoff industries created for people in this province.

I urge members to seriously consider supporting this motion, which would allow the private sector to make major charitable donations towards higher education. That is very needed at this time in this province when we are facing so many financial constraints.

1150

Mr Frankford: As a member with a university in his riding, Scarborough college, part of the University of Toronto, I certainly take a great interest in this. I also happen to have a daughter who makes the almost impossible trek to York University. So I acknowledge the need for more funding of the universities. I would also point out, as people have before, that the universities' share of provincial budgetary expenditure has been going down progressively

er many years. The per capita funding has not kept up with the inflationary growth of expenditures. I welcome the chance to debate this.

I would have some reservations, however, in contrast to most of the other speakers. I think the member for Nepean did not have sufficient time to go into some of the questions and perhaps I could bring up a few questions.

As he said, in British Columbia the Social Credit government brought in a crown corporation. My understanding is that it has not been all that successful. I think one has to look at this particular way of bringing in the possibility of targeting funds by donors, which may be good but may not be so good. It may produce distortions, from what those particular donors want. It may produce an excessive business bias. It may produce an ideology that universities are just to further the economy, which I am sure the member for Nepean does not fully support.

Universities have to cover the full range of disciplines and I think we need to spend in the humanities, in the social sciences. These also have spinoffs. I think there is something of an implication coming across that universities are part of an industrial strategy. I am sure people do not really fully feel that, but I think there is a possibility this is what comes across.

I really should close because I want to let my colleague finish, but I think one should look at whether this is the only way of doing it or whether we would be better off with a fair tax policy, and we do have a Fair Tax Commission sitting. I would like to elaborate more but I will defer to my colleague.

Mr Sutherland: It is a pleasure for me to participate in the debate this morning on the resolution put forward by the member for Nepean. As members know, before I came here I had extensive involvement in the university setting at the University of Western Ontario, being president of the student council. I remember quite vividly coming to Queen's Park and actually lobbying the former Minister of Colleges and Universities, the member for Renfrew North, and I always found it quite challenging then, as we all have come to find it challenging debating him on whatever issue.

I want to say that I give my support to this resolution and I compliment the member for Nepean for bringing it forward. We have a great challenge in this country and within this province, and that is to try to find the adequate resources necessary to sustain our post-secondary education system. Whatever we can do as legislators and as elected officials to enhance that, we should be trying to do that, and I think that is the purpose of establishing crown foundations.

We know that in many of the American universities, not so much the major ones, the Harvards and Princetons, but in some of the state universities, in some cases they are receiving more per-student grant from their state governments than we are able to give at this time as a province. We also know, though, that many of the universities in the United States have large endowment funds, and a great deal of those large endowment funds come from the fact that they have more generous rules and regulations allowing people to donate to universities and to set them up.

I know from my experience at Western that it is just in the process of completing a very successful fund-raising campaign, the Renaissance Campaign, where it has been able to raise about \$95 million. But that has been a very targeted campaign.

What we have to look at in the context of this resolution is, over the longer term, how are they going to continue to raise those funds and to build up endowment funds and to build up research chairs and better opportunities, and hopefully scholarships, because I want to say to members today that I do not think I would be here today if it were not for my being fortunate enough to be able to attend university, and particularly to attend Western, and the many opportunities it gave me to grow and develop, not only in intellectual terms but growing and developing as an individual with a chance to develop my ideas and thoughts.

Universities are doing many good things in our communities. We know the recent report put out by Stuart Smith, and there was some criticism that universities are not representative. I would say that in my years at the university, I saw a significant change in the makeup and in the direction. When I first went, there were not such things as employment equity committees. They are dealing with the issue of pay equity and are just starting to deal with the issue of race relations. I compliment the universities, and particularly Western, for the progress they are making.

That is not to imply that there is not a lot more to be done. There is no doubt that there is a great deal more to be done, but I think from the institutional standpoint of recognizing that and putting some formal procedures in place to make our universities more accessible, they are doing a very good job in this province.

To conclude, I support the resolution. I certainly hope we can see some legislation at some point. I know there are concerns about tax breaks for corporations, but my sense has always been that we never evaluate what type of tax breaks we allow. I think this, an investment in our future, in our education system and allowing other people to share in the same opportunity I was fortunate enough to share in, is a good tax break to allow and is a good investment for the province as a whole.

Mr Daigeler: Let me say first of all that I appreciate the contributions made by the various members of the House, and certainly their support for my resolution.

It seems to me—perhaps I am being a little bit immodest—that the resolution I have put forward is the type of initiative that is particularly appropriate for private members' hour. I think it is a resolution the government can do something about. I think it is something important for the community out there, and in fact can be done quickly.

To the member for Scarborough East, I would like to say that the reservations he put forward are thoughtful ones and I appreciate that he has put them on the record, because I think I share them and any reasonable university member would share them as well. We do not want the academic sector to be tied into the particular interests of any community, be that the business community or labour or whatever it is. I certainly agree with him that we will

have to be very careful that increasing private donations will not increase the ties—perhaps “ties” is the wrong word—the obligations of the universities towards the private sector, because I think independence, academic freedom, is a very important objective and I do not want to deny that. I think he is right in his concern.

At the same time, I do not want to wait for the results of the Fair Tax Commission to put forward an initiative that can provide some support for the universities right now. So while I appreciate the concerns that were expressed, I also appreciate the support that was indicated by this House.

ONTARIO WATER RESOURCES
AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT LA LOI
SUR LES RESSOURCES EN EAU DE L'ONTARIO

The Deputy Speaker: Mr Hansen has moved second reading of Bill 141.

All those in favour of the motion will please say “aye.”

All those opposed will please say “nay.”

In my opinion the ayes have it.

Motion agreed to.

La motion est adoptée.

The Deputy Speaker: Pursuant to standing order 94(k), the bill is referred to committee of the whole House.

Mr Hansen: I would like to have it referred to the standing committee on resources development.

The Deputy Speaker: Shall this bill be referred to the standing committee on resources development?

All those in favour of this question will please rise and remain standing.

All those opposed to this question will please rise and remain standing.

Bill ordered for standing committee on resources development.

Le projet de loi est déféré au comité permanent du développement des ressources.

UNIVERSITY CROWN FOUNDATIONS

The Deputy Speaker: Mr Daigeler has moved resolution 31.

Motion agreed to.

The House recessed at 1203.

AFTERNOON SITTING

The House resumed at 1330.

MEMBERS' STATEMENTS

DIABETES CELEBRITY CHALLENGE

Ms Poole: In Tuesday's Toronto Star it was reported that doctors are at a loss to determine why people suffering from diabetes, which is an acute disease that affects more than 1.2 million Canadians every year, are being diagnosed at the rate of 60,000 cases per year.

The most disturbing reality of this disease is that half the Canadians who have diabetes do not even know they have it. The symptoms of diabetes can be so subtle that they can be easily mistaken for everyday aches and pains. Only people realized that diabetes-related complications are the third leading cause of death by disease in Ontario today. Even the belief that insulin is the ultimate cure is grossly inaccurate. A daily injection of insulin can only help diabetics manage the disease, not cure it.

My colleague the Deputy Speaker and I have joined eight other MPPs in this House in participating in the Canadian Diabetic Association's celebrity challenge. As a participant in this challenge, I am required to live the life of a diabetic for one week. This includes activities such as injecting insulin into this teddy bear twice a day, taking a blood test by pricking my finger three times a day to test the glucose level, exercising regularly and following a strict diet.

I ask all members to join me in promoting the health of people across Ontario and Canada and recognizing the Canadian Diabetic Association's great job.

IVOR MCMULLIN

Mr Tilson: I would like to bring to the attention of members of the Legislature the passing away of Mr Ivor McMullin, former chairman of the Niagara Escarpment Commission and former politician for the town of Caledon.

Mr McMullin first became involved in politics in 1945 when he was the secretary-treasurer for the Albion township school board. In 1962 he was successful in obtaining a seat on the Albion council. One of the first jobs facing him as a council member was finding a new landfill site for Albion-Bolton. As a result of this experience, he was able to sympathize with the problem Peel is having with its landfill site.

In 1966 Mr McMullin was elected as reeve of Albion and in 1974 he became the first mayor of the town of Caledon. Following that, he served two terms as warden for the county of Peel. Mr McMullin was involved in the original formation of regional government in the area. He felt strongly that there were both advantages and disadvantages to the system, but was convinced that each area had to try to work hard at making it work. He considered that the Peel region had achieved the best results.

In 1975 Mr McMullin became chair of the Niagara Escarpment Commission and held the position for 11 years. During his term as chairman, he saw many changes.

Mr McMullin made a valuable contribution to the town of Caledon and the surrounding area and will be greatly missed by all the residents. I would ask members of this Legislature to join me in extending our sincere condolences to his wife and family.

DIABETES CELEBRITY CHALLENGE

Mr Mills: I thought I was bumped off my statement, but I am told I am on it, so I am going to talk freely without notes.

I am going to take on the Canadian Diabetic Association celebrity challenge. Like my colleague the member for Eglinton and other members in this Legislature, I am a participant in this challenge. I personally find it very interesting. It gives me an insight into what it is really like to be a diabetic sufferer. Those people who have that disease indeed have my sympathy.

I have injected myself, taken my blood levels all through the week, and it has given me quite a lesson in what to eat and what not to eat. I really thank the association for giving me the opportunity.

On a humorous note, when I left my riding of Durham East to come back to Toronto on Sunday night, as I do, I was going out to my car and my wife came running out. Luckily no neighbours heard her. She said, "Have you got your teddy bear with you?" I thank the fact that it was dark and everybody had gone to bed by that time.

CANADIAN FORCES RESCUE TEAM

Mr H. O'Neil: I rise today to recognize the courage and bravery of the heroic men and women involved in the rescue of survivors from the Canadian armed forces C-130 Hercules aircraft which crashed in the Canadian Arctic last week. I trust that all members of the assembly will join me in paying tribute to the five people who sadly lost their lives in the crash and in offering our best wishes to the 13 survivors who were so heroically rescued.

Help was dispatched when crews from 424 Transport Squadron Trenton ferried a helicopter to Ellesmere Island. Prior to the helicopter's arrival, rescuers dropped flares from circling aircraft to shed light for the parachutists. The aircraft dove beneath the light of the flares and the parachutists dropped through howling winds in the pitch black of an Arctic night to open their chutes at an altitude of only 700 feet. They descended within seconds from the dangerous jump to reach the survivors below.

The loss of one of the victims is being felt at CFB Trenton, where Master Warrant Officer John Jardine was stationed. Among the three survivors from CFB Trenton is Captain Wilma DeGroot, a doctor who overlooked her own injuries to provide medical care to other members of the crew and passengers. Two of the other injured from Trenton were Bob Thomson and Susan Hillier.

I want to salute the men and women of the armed forces involved in the rescue, especially those from CFB Trenton. We also extend our sincere sympathy to the families who lost their loved ones in the crash and we wish a speedy recovery to those injured.

POLICE SERVICES

Mr J. Wilson: For several months the current Solicitor General and his predecessors sat silently while portions of my Simcoe West riding went without 24-hour police coverage. On October 8, I am pleased to inform the Legislature, in response to the identified need for 24-hour policing in the areas of Stayner, Wasaga Beach, Creemore and Elmvalle, the OPP district 7 command unilaterally and without government help put in place limited 24-hour policing.

The 24-hour police coverage provided by the OPP in this area is very limited, however. In fact, one OPP officer described the new coverage as a stopgap, Band-Aid solution. The officer went so far as to categorize the situation as ludicrous.

Two weeks ago the OPP presented the Solicitor General with a proposal for new staff and the redeployment of existing staff to the hot spots of criminal activity. To date, neither the OPP nor members of this Legislature are aware of the government's response to this crisis.

I demand that the Solicitor General tell this House today what steps he is taking to help the people in my riding and in other areas who are hurting and who are at risk because of the shortage of OPP officers and staff. This government must act now to provide safety for these communities and to restore the beleaguered morale of police officers in Simcoe County and across Ontario.

WAYLAND DREW

Mr Waters: I rise in the House today to pay tribute to one of my constituents, Mr Wayland Drew of Bracebridge. Mr Drew, an English teacher at Bracebridge and Muskoka Lakes Secondary School, is a renowned writer, essayist and environmentalist who has contributed much to the Muskoka community and was rightly honoured for his dedication in the month of October.

On October 15, Mr Drew was presented with the Conservation Council of Ontario's annual Lieutenant Governor's award for his support of environmental issues. Well known in Muskoka for his outstanding achievements in conserving and protecting the natural environment, Wayland Drew was central in the organization of the Signs of Hope conference last April. The Signs of Hope conference brought together environmentalists from across Canada and provided Muskoka educators with a forum to discuss methods of communicating the importance of global environmental issues to their students.

On October 26, Mr Drew was presented with an honorary doctor of letters degree from Trent University for his literary contribution as an essayist and author. With 12 books to his credit, including three travel books, several radio dramas and numerous essays, he is best known for his Earth-ring science fiction series.

I thank Mr Drew for his commitment to Muskoka and I ask members of this Legislature to join with me in paying tribute to this dedicated environmentalist.

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GOVERNMENT STRATEGY

Mr Phillips: Seven weeks ago we began this session. In those seven weeks we have seen very clearly the style of operation the government is going to pursue in the future.

It is clear that in their first year they suffered greatly in their public image. Now we see their plan to correct that.

The first part of the plan is that we have seen very few ministers' statements in the House, and when a statement is made it is the flimsiest of statements with the barest of details. Obviously this is designed to minimize the opposition's effectiveness and allow them to craft the message.

Second, we have seen the Premier in this House, by my calculations, less than twice a week, and when he is here we see him for about half an hour; again, clearly designed to minimize this House and its role and to maximize the Premier's central control.

When the Premier's own caucus members get slightly out of line and try to speak their own minds, what happens? They fire the Chairman of the committee. The member for Lincoln has now gone off the committee and lost his chairmanship role.

They manage the committees. The standing committee on finance and economic affairs travelled across the province hoping to get an unbiased opinion. The public presentations were stacked.

It may seem effective in the short term, this sort of cynical, manipulative approach to the House, but I assure members, the public in this province is too wise to fall for it. They are seeing through it now and it must change.

EDUCATION LEGISLATION

Mrs Cunningham: Bill 125, An Act to amend the Education Act and certain other Acts relating to Education, was introduced on June 13 by the former Minister of Education. This bill deals with 18 separate and unrelated changes to the Education Act, with implications for school boundaries, testing, employment equity, suspensions and pooling, to name just a few of the many issues that school boards and teachers need opportunities for public discussion about.

It will also remove existing provisions relating to religious education where "as his parent or guardian desires" has been a key phrase in the present legislation. Parents are very concerned that if Bill 125 is passed in its present form, the only clause which recognizes the principle of parental rights in the Education Act will disappear. They are trusting that the NDP government will consider their amendments in response to their interests.

When the bill receives second reading, I will be requesting on behalf of my Progressive Conservative colleagues that the entire bill be referred to committee for public hearings. I urge the new Minister of Education to seriously consider the concerns of so many Ontario citizens and to give sufficient time for public input so that we can clearly talk about the many issues that will affect the quality of education and the lives of students and parents in this province.

DIABETES CELEBRITY CHALLENGE

Mr Sutherland: I would like to join with my colleagues in talking about the celebrity challenge. As members know, to increase public awareness of the seriousness of the disease, which affects more than 600,000 Canadians,

myself and nine other MPPs from all three parties are participating in the diabetes celebrity challenge.

For the past week we have lived the lifestyle of a person with diabetes. We have taken our blood sugar readings several times a day, injected an insulin substitute into a volunteer teddy bear, and followed a strict diet and exercise program.

At a press conference announcing the celebrity challenge, Dr Gerald Wong, an expert on diabetes, discussed its impact on health care. He said many diabetics also suffer other health problems, including a significant increase in the risk of blindness, kidney failure and heart disease. The most striking comment made by Dr Wong was that diabetics must take responsibility for their own health. They must regulate their diet and exercise and be more careful about their lifestyle.

However, this piece of advice rings true not just for diabetics but for all of us. Health care in Ontario today consumes \$17 billion, one third of the provincial budget. All of us value our medicare system and want to preserve it, but to afford our health care system and meet the many other challenges, all of us must examine our own habits to make our lifestyles healthier. Eating a balanced diet, consuming less processed food, and broiling food rather than frying it are simple things that each of us can do to stay healthy and help control health care costs.

Mr Mills: I believe there is unanimous consent to spend a few moments speaking to Armistice Day.

The Speaker: Is there unanimous agreement?
Agreed to.

REMEMBRANCE DAY

Mr Mills: This coming weekend, many of us will gather to honour the men and women of our country who gave their lives for us and freedom in two world wars. Many of our young people today have no comprehension of the magnitude of death and suffering these wars caused. We shudder in horror lest they ever be repeated.

Over the weekend many of us will honour our family members and friends who were involved in the campaigns in the North Atlantic, in northwest Europe, in Italy, in North Africa and in the Pacific. We honour those who served in the Dieppe raid and in the defence of Hong Kong, in the battle of Ortona and in the invasion of Normandy.

We also honour the 2,383 women of the Canadian Women's Army Corps who were employed in theatres of operation overseas. Many of these women who served in the United Kingdom were wounded by buzz-bombs. Twenty-five were killed on duty; 65 were decorated for bravery.

We also honour those who gave their lives in the First World War and in the Korean conflict, and also those who have given their lives for peace while serving with the United Nations forces.

Time has taken its toll and the number of veterans each year grows fewer, but we are still proud, and if with the passing years there is a small lack of precision among the marchers, we do not notice, for this, above all, is a

personal parade. None of us can go back in time, and that itself is a grace bestowed.

On this weekend, as the memories are exchanged at public ceremonies and in the legion halls, we will remember with affection all those who answered the call to serve their country. Their contribution to the betterment of humanity can never be measured.

Mr Morin: Next Monday is Remembrance Day and, on behalf of the official opposition, I pay tribute to the brave Canadians who served that we might live in freedom and peace.

On November 11, we commemorate the 100,000 men and women in the Canadian Forces who were killed while defending our nation in the Great War, the Second World War and the Korean War.

I served in Korea with the 3rd Battalion of the Royal 22nd Regiment. I witnessed first hand the results of war.

At this moment, citizens in hundreds of countries around the world live in war zones.

Until our most recent experience in the Persian Gulf, an entire generation of Canadians had thought of war as something remote. We were isolated from its reality. The Persian Gulf War forced us to confront the reality and the ugliness of war once again. The results of that war are still unfolding before our very eyes. Our brave Canadian service personnel served with distinction in that conflict.

Through the organization of the Royal Canadian Legion, on November 11 we will pause to remember those who died for our democracy and the veterans who still feel the scars of those wars. On this occasion let us also pray for those countries less fortunate than Canada.

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Mrs Cunningham: I am truly honoured today on behalf of our party to be able to speak on this important subject. All of us in this House and the people who expect us to represent them in this great democracy that some of us have come to take for granted are most interested in the leadership I think we show in this assembly today in remembering those who went before us and gave up their lives so that some of us are able to be here to represent our constituents and so that this great democracy could survive and this great province and country that we live in could move forward.

All of us have special memories. Mine were in the city growing up as a young child, when this special day meant, I think, much more than it seems to now, when we took part in our own Remembrance Day ceremonies, usually within our own neighbourhoods, and walked down to our parks and had our assemblies in our schools and remembered not just people who went before us but usually parents and grandparents and uncles and sometimes aunts. It was much more meaningful because it hit so close to home. So I think today in these times we have to work much harder to make sure that we do not forget those who gave up their lives for us during the great wars.

I just hope the young people across our province will take a moment in their schools on Monday to remember. Fortunately, in these days schools are still in session and there are times to remember. Probably each and every one

of us will remember the times we had to at least say, sometimes by memory, the poem *In Flanders Fields*. I hope they are doing it on Monday.

The war came to an end at 11 am, November 11, 1918, some 70 years ago or more, and it was supposed to be the war that ended all wars. November 11 has since become an international day of remembrance in all the countries involved in that terrible war to commemorate those who made the supreme sacrifice.

Here in Canada we pay tribute to the more than 100,000 individuals who lost their lives not just in that war but in the Second World War and the Korean conflict. We also honour those who have served in our armed forces.

Fortunately our younger generation has not had to experience the horrors and tragedy of war themselves, but we all realize that with our modern weapons of total destruction, it is impossible for any country to win a war. We witnessed that just within the last year. That Great War that was supposed to be the end of all wars simply was not, and we continue to fight on behalf of families and parents and the world for peace.

Each year there are fewer and fewer veterans to march to the cenotaphs and deposit their poppies on the wreaths. Each year the memories of those wars become more distant and remote to many who were not there or who were not born at that time. Each year we must continue to remember and to make sure that our young people and those who come after us will never forget. Thus we wear our poppies.

The Speaker: In recognition of Remembrance Day I invite all members and visitors seated in the galleries to stand for a moment and bow our heads in silent prayer.

STATEMENTS BY THE MINISTRY

LABOUR RELATIONS

Hon Mr Mackenzie: I am very pleased at this time to announce the release of the discussion paper on reform of the Labour Relations Act. Distribution of this document today marks the beginning of a full province-wide consultation which my ministry will conduct with business, labour and other interested groups. The goal of this government is to achieve greater fairness and equality in the workplace. We seek to modernize an important piece of legislation, to respond to Ontario's new economic and workplace realities and to include employees who are currently prevented from organizing by the law.

It has been 15 years since the Labour Relations Act was significantly amended. The collective bargaining process itself has withstood the test of time, but the government believes the act is in need of renewal. In our view, the act fails to deal with changes in the province's workplace and workforce. The Labour Relations Act was designed to serve an economy characterized by a stable, mostly male workforce employed in large factories and plants.

But times have changed, and the workplace and the workers themselves have also changed. Smaller companies in the service and retail sectors are taking over a larger role in our country's economic life. Workplaces are moving

from traditional factories to small industrial parks and plazas. We have also seen the rapid growth of part-time and casual positions, particularly in the burgeoning service sector. These less secure and less-well-paid jobs are often filled by women, recent immigrants and visible minorities.

We believe the act should be revised to respond to this change in workplace and workforce. In particular, it must meet the needs of women, minorities and lower-paid workers. This government also believes that strong employee participation, made possible by independent representation and collective bargaining, can play a positive role in making the workplace more innovative and more productive.

Any reform of the act must seek to reduce the level of confrontation and antagonism that often characterizes labour-management relations. There are currently a number of elements in the existing legislation that prevent rather than encourage the kind of co-operative relationships that are needed to respond to rapid economic change in our country.

Beyond this, when labour-management disagreements do happen, as they will, we believe there are a number of ways to improve the bargaining process so that the parties can reach their own workable solution.

The government believes that giving a meaningful voice to employees through an improved collective bargaining process will make for greater industrial peace and improved efficiency. Such a result can play a major role in Ontario's economic renewal.

The government's commitment to reform of the Labour Relations Act fits hand in hand with the government's overall economic and social agenda. This agenda includes the newly introduced worker investment and ownership legislation, the upgrading and refocusing of worker training systems, continued investment in the province's physical infrastructure, employment equity and reform of the social assistance system to provide recipients with better access to training and employment.

Ontario's future prosperity will be based on successful efforts to maximize the ability of its workers to participate and be fairly treated.

This government believes that Ontario can move a long way towards achieving that goal by making it easier for workers to participate in collective bargaining.

Through the consultation process we want to hear from all sides on our reform ideas. The discussion paper makes proposals and focuses discussion on five key areas: (1) increasing co-operation between labour and management when a workplace is undergoing major change; (2) streamlining and improving the grievance arbitration process and the work of the Ontario Labour Relations Board; (3) improving the process by which first contracts are finalized; (4) removing some of the obstacles which hamper employees' ability to organize and giving the right to form unions to some employees currently barred from organizing, and (5) limiting the use of replacement workers during a strike or lockout to existing on-site management.

I invite all to take part in these discussions.

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Some business groups and individuals have expressed opposition to what they believed this discussion document would contain. I challenge them to deal with our proposals and ideas as they stand today.

I also ask all Ontarians to view this consultation process as a real opportunity for them to contribute to the reform of the Labour Relations Act.

We will not make any final decisions on the content of the reform legislation until we have heard from and considered the views of all interested parties.

Beginning today, there will be a period of more than three months in which interested individuals and groups can submit a written response. In order to allow ministry officials time to review these submissions and prepare draft legislation, I am asking people to submit their response by February 14, 1992. Before that date, senior ministry staff and I will meet directly with key business, labour and other groups in 10 locations around the province to discuss the ideas and proposals contained in the consultation paper.

We plan to introduce legislation in the spring and I expect that there will be an extensive and spirited debate in this House.

There will be further opportunities for public participation in the process when the legislation reaches the committee stage, including the likelihood of province-wide public hearings on our specific legislative proposals.

In effect, we are embarking today on a process of ongoing consultation which will last many months.

I look forward to hearing all points of view on a subject so crucial to the economic and social wellbeing of Ontario. By working together, I know we can forge new and better labour laws for the 1990s and beyond. I believe this is our opportunity to develop a much more co-operative partnership between business and labour. I am pleased to bring this forward and I thank you, Mr Speaker.

RESPONSES

LABOUR RELATIONS

Mr Offer: I have three areas of concern over the statement made by the Minister of Labour today. I want to address them in the time allotted to me.

The first is, why has the government not provided us with any evidence as to the impact these legislative changes will have? Has the minister prepared an economic study? If not, then to press ahead with changes and proposals for change without knowing what the impact of those changes will be in terms of jobs, the creation and maintenance of jobs, is, I say, totally irresponsible.

If the Minister of Labour has that information, then he should stand up and provide it to the opposition so that we will be able to address those concerns that have been given to us from across the province. When we talk about the impact on jobs, we want to hear from the minister what the impact on jobs will be for people who are outside affected workplaces when unions will be permitted to organize and picket in shopping malls.

What does that mean in terms of job creation and job maintenance? How will other people conduct their busi-

nesses? What effect will be caused by permitting security guards to join the same union as the people they are watching over? How will the organization of front-line supervisors affect the ability of businesses to carry on, especially during strike situations? What we want to know from the minister is, has he looked at what the impact of those proposals means in terms of job creation and the maintenance of jobs in this province?

The second area of concern I have is that his paper fails to address the single greatest concern that business has voiced in this province: the necessity for change. His paper fails to talk about whether he will discuss that particular aspect, whether change is in fact necessary. The minister has shut the door on that type of consultative process and business has been calling for him to open the door to consultation. They have challenged him to say he is ready to listen as to whether change is or is not needed. That is what business has been asking the minister to do. His statement here today has clearly been to shut the door in the face of that process of consultation.

A third area of concern I have deals with the whole credibility of the process. The minister's cabinet submission spoke about the need to neutralize opposition to these reforms. He has spoken about consultation, yet his Premier has said at a United Steelworkers of America conference in Ontario that he vows to press ahead with the controversial overhaul of the Ontario Labour Relations Act. He speaks about consultation and the Premier has already vowed that these things are in fact going to happen.

The minister, in his previous cabinet submission, has said he is going to neutralize the opposition. I can tell the minister that we are going to continue to voice concerns about these changes and about the direction. We are going to be talking about the impact of those changes. We are going to be doing it in this Legislature and outside this Legislature until the message has been given to him about what impact these changes will have, what they mean to job creation and the maintenance of jobs in this province, and to the economy and the creation of wealth.

Mr Phillips: Just to follow up on my colleague's comments, we certainly will be looking at this in detail. The other day I raised the issue that the timing may be more than coincidence. With the Ontario Federation of Labour biannual meeting coming up in two and a half weeks, it looks suspiciously like this is a plan designed for the triumphant entry of the Minister of Labour.

The reason I raise this is that it clouds the perception of this plan, and these are some of the questions we will be asking. When we looked at the document the minister had prepared before, the fundamental objective was not a harmonious workplace; the fundamental objective was to increase union membership in Ontario. We are very interested in improving the workplace in Ontario. We are very interested in mechanisms that will help to do that. We are very interested in making certain the workers of this province are treated fairly and equitably. But an objective surely is not to increase union membership.

Our party will be doing the very best it can to look at what is going to be the impact of this. If we cannot get from the government the impact analysis, we will try, to

the best of our ability, to do our own impact analysis. I also will say to members that we will be consulting broadly as well. I think a hallmark of this government is a very restrictive consultative process. Our party will be consulting broadly and attempting to be helpful in terms of improving this legislation.

Mrs Witmer: I disagree totally with the newspaper editorials today. Business will not be happy with this discussion paper. The minister has confirmed our worst fears. He has not backed away from any of his controversial proposals and he has totally ignored the economic reality. His new proposals will tighten the noose around the neck of all unemployed workers in this province and businesses is struggling to survive in this uncertain economic climate.

I have received hundreds of letters from business people and workers throughout this province and they tell me that this is going to result in a serious loss of investment opportunity in this province. The minister is creating a hostile business environment and is driving people south of this border, which will lead to a further loss of jobs. He is contributing to a loss of our industrial base. This document does not protect and promote individual freedom of expression and protection of privacy in the workplace. It is detrimental to the prospects for economic growth and renewal in Ontario and it is going to give our unions a new set of rights without any accompanying responsibilities.

I am very concerned that there was no consultation with business or any of the non-unionized workers. We have here a proposal that is the agenda of the labour unions. We have here a proposal for which no economic impact study was done. I cannot believe that is not going to happen.

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The only areas that have been deleted by this government are areas where it had a fundamental problem with the implementation. Originally they proposed to restrict employer free speech, but that is gone because free speech is an integral component of a free and democratic society. They do not have a specific proposal for access to employee lists because it would have been a violation of the Freedom of Information and Protection of Privacy Act. They do not have a specific proposal for access to an employer's property because it would be a violation of private property rights.

Their consultation paper today still contains the majority of the original 30-point agenda that they drafted for the Burkett committee. This government is making it easier to certify, but more difficult to conduct business in this province. There is not one single new proposal from the business community.

Today I will be introducing a private member's bill to amend the Labour Relations Act. It is going to require a mandatory secret ballot vote for certification-ratification and the decision to go on strike.

This bill today serves only the interests of organized labour. It forgets the other 66% of the workers in this province. It fails to recognize the legitimate concerns of business.

The minister has completely mismanaged this issue from the beginning. He allowed the Burkett report and the leaked cabinet document to circulate. This raised considerable fear and uncertainty within the business community without any formal response until today. That fear and that uncertainty that have been raised have already cost this province much needed investment, jobs and economic growth. If he proceeds with this plan without hearing the real concerns of business and individual workers in this province, I can assure him that more jobs will be lost and that the noose will be tightened for the unemployed workers and the struggling business people.

Mr Carr: As critic for the Ministry of Industry, Trade and Technology, I have had a chance to consult with business, and they are telling me that this will be the single biggest factor in the history of this province in driving jobs out. In speaking with them, some of the comments have been, "These proposals are shocking, highly discriminatory, economy-wrecking." This is what the businesses are saying: 80 replies from businesses in Oakville saying it will be the single biggest factor in destroying jobs here.

I say to this minister, the fight is on and the gloves are off. I want him to wake up at night dreaming about the job losses that are going to come as a result of this legislation. I guarantee him the fight is on now. I am not going to give up and I guarantee him I can beat the member for Welland-Thorold's record because I will stand and fight this thing longer than any other piece of legislation ever going through this Legislature.

ORAL QUESTIONS

The Speaker: It is time for oral questions: the member for St Catharines.

Mr Bradley: I have a question for the Premier but he is not here, so I will let my leader ask a question.

JOB CREATION

Mr Elston: I have a question for the Minister of Labour. Today the government has announced its communication strategy to neutralize opposition to its changes in the Labour Relations Act. I want to know how this minister is going to respond to Ontario's new economic and workplace realities, when that reality is that some 240,000 jobs have been lost in the last year. Can he tell us how many jobs are going to be created by this legislation?

Hon Mr Mackenzie: I think the leader of the official opposition will know the jobs that have been lost that he is talking about have been lost without these kinds of changes that want to involve workers. We intend to increase jobs, not lose them, as a result of the legislation.

Mr Elston: While we have lost over 240,000 jobs and while the Minister of Health celebrates the firing of several hundred nurses in this province, can the Minister of Labour tell us how many jobs are going to be created by the effort being placed in these labour relations amendments?

Hon Mr Mackenzie: I would not even try to respond to such a simplistic question, but what I can tell the Leader of the Opposition is that when you take a look at free

trade, when you take a look at the high dollar and GST, you can see where the jobs have gone.

Mr Elston: I would ask the minister to tell us how these labour relations amendments respond to the high interest, high taxes or any of the other issues he related to us costing us jobs. How are these amendments responding to reduce the loss of jobs, and how many jobs are being created by this legislation?

Hon Mr Mackenzie: I think it is obvious that if we have in this province a little more co-operative approach rather than a confrontational approach, and if we involve workers in the decisions, we can have a much more productive society than we currently have in Ontario.

Mr Elston: We give up with that guy.

POLICE SERVICES

Mr Elston: I would like to talk to the Solicitor General about public safety. We had a quote given to us yesterday from the Lindsay Daily Post that said, "But the safety of these communities in Victoria county is being threatened by these cutbacks." The minister responded by saying he was assured that there would be no threat to the public safety.

Again, we read in a Windsor Star of September of this year that the folks in Essex are also facing cutbacks that are taking community patrols off the road and may result in highway patrols being cancelled, which in fact does affect the public safety. Why will the Solicitor General not respond to the need to ensure public safety and why is he continuing to tell us a story about the effect of his fiscal cutbacks?

Hon Mr Pilkey: I want to say first of all that Commissioner O'Grady of the OPP has assured me that there will be no deterioration in service.

The Leader of the Opposition asked me if I would tell him a story. Am I ever pleased to tell him a story, because if he looks to his immediate left, his honourable member asked me yesterday a question on concerns about cutbacks in his particular area and riding. I note in today's newspaper an article which quotes from a Sergeant Peter Hamilton of that very detachment in which he suggests that the measures will not mean a reduction in service to the public:

"The number one thing is that we do not reduce our calls for service. That's the bottom line. In other words, if a member of the public calls, we will respond." He goes on to talk about the 108-kilometre limit that was suggested to be a concern. He says, "I haven't driven any more than 50 per shift, so there's a surplus." He goes on to indicate that if there are those officers driving more than 300 kilometres, he would like to know, and he is going to ask them what they are doing and where they have been.

I want to assure the member, with quotes from the officers themselves, that the problem that is allegedly being created is not a fact at all.

Mr Elston: I can tell the honourable member that the people of the various areas around Ontario have been hearing perhaps not the official line that is required of some people to straighten the record, to make the minister feel better, but hearing that in fact there are going to be more

cuts. The fact is that a report out of Essex says there are already slower response times, less crime prevention and fewer community patrols in effect in Essex county as the OPP tries to cut spending.

They have indicated under the heading "OPP Cuts Branded Disaster" that they are concerned about the public safety because they are being restricted as to how much gasoline they can consume, along with other costs they are incurring.

While I am quite free to read my own copies of newspaper articles, I would ask the minister to come forward and tell us exactly how he is going to maintain the current level of service in all the communities and prevent the types of increases in crime statistics that have been indicated as being present in some communities around our province.

1420

Hon Mr Pilkey: I was simply trying to indicate that I believe oppositions are wont to try to explode situations and, of course, that was attempted here yesterday and it is being attempted again today.

I do want to say, however, that there are concerns and I do take them seriously. I have met with Commissioner O'Grady. I will be continuing to meet with him and with other senior staff people of my ministry to ensure that the kind of quality service the OPP has provided to the people of this province in the past will continue into the future, and well into the future.

Mr Conway: I am not at all surprised that someone whose primary function is as a desk police officer would not be travelling around and about the countryside. That is no surprise at all. I have been talking to constables at that Killaloe detachment, and they tell me they are very concerned about what these budgetary cuts are doing to the quality and the range of policing they can provide in that part of rural Ontario. I quoted directly from a staff sergeant at Lindsay who was quoted in the Lindsay Daily Post as saying that policing is being threatened in those Victoria county towns of Bobcaygeon, Woodville and Dunsford.

Surely the top cop, the Solicitor General, would have to agree that when he limits police cruiser mileage to 108 kilometres per eight-hour shift in a large rural detachment, that cannot have any effect but that which the cops on the beat are telling me it is having, which is a reduction in the quality and extent of policing in rural Ontario. Would he not agree, and what is he as top cop going to do about the problems that the cops on the beat in Killaloe are complaining about?

Hon Mr Pilkey: Unless the newspaper reports and quotes are in error, I recommend to the member that he speak to people in his own riding, because if they are factual, the situation he paints is absolutely the reverse.

Mr Harris: I have a question for the Premier. I wonder if anybody can tell us where the Premier is.

The Speaker: The Premier is not in the chamber. Would the member place his question, please.

Mr Harris: I do want it on the record that the Premier is very rarely in the chamber. Whenever these silly, ridiculous proposals come forward, he is out somewhere else.

LABOUR RELATIONS

Mr Harris: I will then direct my question to the Minister of Labour. I believe, as many union members believe, in addition to a lot of people, that this is a sad day for Ontario. I also believe that our worst fears—business's worst fears, investors' worst fears, and in fact workers' worst fears—have come to fruition today with his statement in the House.

Despite the minister's best efforts to spin the story, this is not a balanced white paper. It is not a balanced consultation process. It is a process that will kill jobs and drive investment out of this province.

I would ask the minister to table today or share with us any evidence he has—any study, any proposal, any independent analysis—that what he has presented to us today will, as he states, play a major role in Ontario's economic renewal. In fact, if he has any independent evidence or study that says it will play even a minimal role in Ontario's economic renewal, could he share that information with us?

Hon Mr Mackenzie: Surely the leader of the third party would understand that if we are going to turn around what is a very difficult situation in our province, we are going to have to have both business and labour working together. That is one of the essential parts of this document and the consultative process that we will go through.

Mr Harris: Everybody understands that. I just do not see a shred of evidence that what the minister has presented today is going to do that. In fact, I have umpteen pieces of evidence that it will do the opposite of that.

Let me ask the minister this, by way of supplementary: In his statement he says, "This government also believes that strong employee participation...and collective bargaining can play a positive role in making the workplace more innovative and productive." He says that. I agree that strong employee participation can make the workplace more innovative and productive, but the minister says it can only be done if those employees will devolve that responsibility from themselves, from their fellow co-workers, to some independent representation.

Can the minister show me one example in the history of the world where devolving that responsibility to some independent outsider has increased employee participation in making a positive role, in making the workplace more innovative and productive? Does he have that in any of his studies?

Hon Mr Mackenzie: Surely the leader of the third party understands that when workers organize, they organize so they can act collectively, and that is exactly what they do. If they are acting collectively, they also have some input into decisions that affect their lives.

Mr Harris: The whole premise of the minister's statement, the whole premise of his white paper, is based on somebody else knowing better than the employees in that plant how to deal with that plant and how to make it more productive. That is the false premise he is operating from.

By way of final supplementary, I would ask the minister, and I have asked him over and over before, to do an impact study. Businesses ask for that. Working men and women, union memberships are asking, when I talk to

them: "Do they have any impact study on what their proposals are going to do? Can you tell us how many jobs we would gain or lose because of your proposals?" The minister has refused. Well, I have seen one done by Ernst and Young. They are the only ones who have done your homework for you. They found that up to half a million jobs and millions of dollars of investment would be at risk if the leaked document was what the minister was going to bring out as discussion, and it is exactly what he has brought out in his discussion paper.

I would ask the minister again, has he done any impact study other than the one that we have now, done by Ernst and Young? How many Ontario jobs is he willing to risk for the sake of making sure that the few that are left are unionized?

Hon Mr Mackenzie: I thought the leader of the third party had read the leaked document, but I am presuming he either has not read that or he has not read the discussion paper that is out today.

Mr Harris: I, like the Liberal Party, give up on the Minister of Labour.

My second question is of the Minister of Industry, Trade and Technology. We have heard from his co-minister, the Minister of Labour. We have heard him talk about consultation and co-operation, yet the document that was released today will impact greatly on both business and labour and, I suggest, on our economy and jobs.

I am having difficulty identifying anything in this document that will be good for business in the province. I wonder if the minister of Industry, Trade and Technology could tell us, as the minister for business and industry, as their advocate, how many of the proposals in this white paper were brought to the table by labour and how many of the proposals in this white paper were brought to the table by business.

Hon Mr Philip: There are a number of issues that have been brought to the table by business. If members look at the original consultation that has taken place over the last few months, they will see that in the press today business leaders are in fact complimenting this government on the way in which it has listened.

I refer members to the Globe and Mail article that says, "Among other business groups, however, the government has won compliments" on issues ranging from the environment to cross-border shopping, and also on the way in which it has listened about the Labour Relations Act.

We will have a year of consultation, in all, before the legislation is passed, three months initially on the paper and then on the legislation. I can say to the member that not only will the Minister of Labour and myself be listening to business but the whole cabinet and the caucus of this party will be listening to business.

1430

Mr Harris: What I got from the minister were quotes of what was spun out by the NDP political machine as to what would be in the document. Now that business has seen the document and seen that it is virtually the same—in fact in many ways worse than what was leaked out before—it is a completely different story.

I asked the minister if there was one proposal out of these by business. He has not given me one. It confirms my fears and my suspicions and those of business that the consultation is on all the proposals that have been brought forth by labour.

I received from Project Economic Growth a letter to the Premier dated November 1. This group, representing over 250,000 jobs in the province, proposed a co-operative task force on the Ontario workplace. They offered to come to the table and said, "We want to discuss our concerns too, not just our reaction to 60, 80, 100, 30 or 20 labour concerns." They offered to do that in a consultative way. Why did this minister, the Minister of Labour and the Premier reject them out of hand?

Hon Mr Philip: Nothing has been rejected out of hand by anybody except the leader of the third party. He has rejected everything out of hand. The particular proposal he talks about was introduced only a few days ago. We are willing to consider that and any other proposal, including proposals the member may have, but I have not heard anything coming out of his mouth except doom and gloom over this province. By his doom and gloom, he is the one trying to decrease the jobs being created. That is all he has to offer.

Mr Harris: In this House or outside this House, I relay nothing that I have not heard from various people in Ontario. If they are leaving the province, if they are not investing, if they are losing their jobs, it is what they are telling me. It is not anything I am saying, I can tell the minister that.

I suggest to the minister that calling this document a discussion paper is a farce. He is asking business to discuss his proposals, his demands, his labour wish list. That is all he is asking them for input on. It is a document that will make the Premier, the Minister of Labour and Bob White very happy campers. There is nothing to be discussed that business would like to have discussed. They offered and the minister rejected them. I do not know how he has the nerve to ask for input from business now when he ignored it completely.

The minister is asking for suggestions. He is asking what I have to offer. Why is there no mention in his proposal and why is there going to be no discussion, no input on what over 86% of union members want, what business wants, what industry wants; that is, a secret ballot for certification, for strike and for ratification? Why is that not in the proposal?

Hon Mr Philip: The leader of the third party says there is nothing there that business wants. In fact, there is.

Interjections.

Hon Mr Philip: He does not want me to answer, obviously, because he does not like to hear the answer. He would rather spread misinformation about what is in the paper.

Interjections.

Mr Speaker: Would the minister take his seat.

Interjections.

Mr Speaker: I ask the House to come to order.

Interjections.

The Speaker: The member for York Mills is asked to come to order quickly. Has the minister concluded his response?

Hon Mr Philip: I was trying to start my response. I resent the fact that the leader of the third party has called my colleague the Minister of Labour stupid. The people in Moose Jaw did not call him stupid; they threw out both the leader and the Conservative Party in Saskatchewan.

He asks, what is in it for business? What is in it for business is a full discussion of work flexibility.

Interjections.

The Speaker: Order. This House stands recessed for 10 minutes.

The House recessed at 1436.

1446

The Speaker: Have you finished your response?

Hon Mr Philip: Mr Speaker, I am waiting for the leader of the third party, but he has disappeared.

Mrs Cunningham: He has asked his question.

The Speaker: Has the minister concluded his response?

Hon Mr Philip: No, Mr Speaker.

The Speaker: Briefly.

Hon Mr Philip: I thought, out of deference to the leader of the third party, he should be here when I completed the response, but he has disappeared on the House. I am willing, with the permission of the member for London North, who no doubt is a leader in the Conservative Party, and a very good one at that—

The Speaker: Would the minister try to make it brief, please.

Hon Mr Philip: This is the first time in 15 years that any labour legislation has been reformed to any extent in this province, and this gives a unique opportunity for the business community—we have invited the business community—to come forward and talk about flexibility in the workplace and competitiveness. We have extended this opportunity to the business community and we hope it will have an opportunity to participate. In the same way that business cannot compete by using obsolete technology, so it cannot compete by using obsolete labour laws and that is why we have introduced this labour legislation.

The Speaker: Would the minister conclude his response, please.

Hon Mr Philip: The leader of the third party says that businesses are leaving the province. Nothing could be farther from the truth. If you look at the figures, Statistics Canada has indicated that from March 1990 to March 1991, 76% of all investments by overseas companies or by foreign companies has been in Ontario, not in any other province, not provinces—

The Speaker: Would the minister conclude his remarks, please.

Hon Mr Philip: Between February and September of this year, 60% of all jobs that have been created in Canada have been created in this province.

The Speaker: Would the minister take his seat, please.

HAZARDOUS WASTE

Mr McClelland: My question is for the Minister of Energy. As he is the minister responsible for energy, I would assume he is aware that PCBs were used by the electricity generating and handling industry for a substantial period of time before being banned in response to concerns about human and wildlife health effects. In fact, the Guide to Eating Ontario Sport Fish, a copy of which I have here, published by his government, contains a discussion paper on the dangers of PCBs.

Does the minister agree that releasing PCBs into the environment as a byproduct of the electricity generating and handling industry is something to be avoided and would be considered unhealthy and quite frankly a bad thing to do? Since the ministers of Natural Resources and the Environment are absent today and this minister has relevant jurisdiction, I want to know if he is prepared to assure this House that his government will do absolutely everything it possibly can to control the spread of PCBs into the waterways of Ontario.

Hon Mr Ferguson: This government recognizes the significant health hazards that PCBs present to the province, and not only to this province but in fact to the entire country, and I would agree with the member that we will do what we can.

Mr McClelland: That is good, because I am going to ask the minister to go to his cabinet colleagues, in particular to the Minister of the Environment and the Premier, and find out what they are going to do about the following situation. Under certificate A840278 issued by the Ministry of the Environment, eight barrels of PCB-contaminated soil were picked up from a transformer manufacturing site last Saturday. They were transported through the streets of Toronto and dumped in the Keele Valley landfill site. Two of those barrels exceeded the allowable limits. They pose a hazard. They would be deemed by the Ministry of the Environment to be hazardous material. Those barrels of PCB-contaminated soil are now under four and a half days worth of garbage.

Keele Valley, as the minister should know, is located at the source of the Don River. The waste water from the Keele Valley site flows into municipal sewers. The system is unable to control PCBs. It does not deal with it. The water ends up in Lake Ontario.

What is the minister going to do to ensure the safety of the public and concerns for wildlife and fish and birds in this province? What is he going to do, in other words, to clean up the problem that has been unveiled, a difficulty that arose within the last week, PCBs in Keele Valley? Are they prepared to bear the responsibility as a government?

It was a certificate issued under the Ministry of the Environment. What is he going to do, as spokesperson for his cabinet colleagues, to remedy this very dangerous situation for the people in and around Keele Valley,

the residents of the area, and more important, people all across the province who are now at risk in terms of the quality of water and the safety factor that is involved here? What is the minister going to do? What commitment is he prepared to make in light of his statement just a moment ago that he sees this as a very serious issue?

Hon Mr Ferguson: If what the honourable member describes is factually correct and all the facts check out, I will be conferring with my cabinet colleagues on the matter and we will be taking appropriate action. Situations like that will not be tolerated in Ontario if in fact that is the case.

LABOUR RELATIONS

Mrs Witmer: I have a question for the Minister of Labour. His consultation document suggests that during a strike, management personnel would not be allowed to bring in other employees from offsite locations to the strike-bound plant. This measure is not contained in the replacement worker section of the Quebec Labour Code. In fact, there is no other jurisdiction in North America with this model. I ask the Minister of Labour, since he is always citing Quebec as his model, can he tell this House why he has gone beyond the province of Quebec's statute?

Hon Mr Mackenzie: I do not think we are always using Quebec as the example. It is the one province that has some legislation in terms of strike situations. I think it is also obvious that what we have here is a consultation document that is out so that we can go through the recommendations that are there. Some of them, as the member will know, are specific, our idea of a direction; some of them raise a number of options, and some of them raise no direction whatsoever in areas that have been raised with us. I am not prepared to get into a discussion on the individual items in that consultative document until we have it out and deal with the people in the community.

Mrs Witmer: I would like to bring to the minister's attention that there are some plants in this province that need to be in continuous operation because of the cost of a shutdown or the threat to public safety. If the employees at Ontario Hydro went on strike, our nuclear plants would have to keep running. Hydro would need to bring in employees from another plant for public safety. Obviously the minister sees the problem with his proposal, and I would ask him, is he prepared to make the appropriate changes?

Hon Mr Mackenzie: I think that when we see the legislation, that would be dealt with, but I want to point out to the member, if she has any awareness of what goes on in the labour movement right now in plants, whether it is a Hydro plant, an industrial plant—Stelco in my own community is a clear example—that there are already arrangements made with the workers involved to shut down the furnaces. Where you have that kind of public concern, I think that is what the avenue is going to be in almost any contract that is signed.

EMPLOYMENT EQUITY

Mr Fletcher: My question is for the Minister of Citizenship and human rights. On Tuesday the honourable minister released this government's—

Interjections.

The Speaker: Order. The member for Etobicoke West.

Mr Fletcher: On Tuesday the honourable minister released this government's employment—

The Speaker: The member for Guelph, this question is to whom?

Mr Fletcher: The Minister of Citizenship and human rights. On Tuesday, the honourable minister released this government's employment equity discussion paper and announced that public hearings would be held across Ontario.

We know that employment equity aims to remove barriers for fair hiring, training and also promotion for all workers, but we also know that there is a fear and misunderstanding about employment equity and that can be a major barrier in itself. If unaddressed, the fear and misunderstanding can turn into a backlash. Already constituents have written to me asking such questions as: "Does employment equity mean unqualified people will be hired because they belong to a designated group? Isn't employment equity just tokenism and reverse discrimination?"

How does this government plan to get its message out about this policy and what this policy will do for Ontario, especially when it is so needed?

Hon Ms Ziemba: My honourable colleague is absolutely right; there are always fears, misconceptions and myths that have arisen out of employment equity. What employment equity means is that we want to make sure we have a workplace that is reflective of all our society. Statistics and studies have shown us that people from those designated groups have often been discriminated against, do not have the opportunity for full employment and do not have the opportunity even to compete in employment or to be promoted.

What we are saying is that during our time of economic renewal, we must have the opportunity to use all our abilities, all the capabilities of our workforce, and this is the extreme importance of this particular type of legislation.

We will be doing educational outreach—

Interjections.

The Speaker: Order.

Hon Ms Ziemba: Mr Speaker, this is very disconcerting. I am really pleased that the children who were present earlier today have left, because it has been very embarrassing for all of us to hear this type of outpouring every time somebody wants to answer a question.

1500

Mr Fletcher: By coincidence, on the day the minister announced the discussion paper, the member for York East visited my riding of Guelph to speak at a lecture series designed to promote discussion of educational and also employment equity issues. The member made the point that equality and equity do not mean treating everybody the same, simply because everyone has different needs. He also pointed out that the people who advocate for the disabled and for women, aboriginal peoples and racial minorities are tired of rhetoric and lipservice. Can the minister

tell us how soon public consultation will be complete and whether the legislation will have any teeth?

Hon Ms Ziemba: The member has brought up some very good points. Yes, this has been a long time coming, and we certainly need to have employment equity now, and we are moving towards that legislation. Our consultation process will take the form of going into two cities in December. We hope to wind up in the very beginning of February, and then we will have a mammoth consultation process for people who have been involved in the previous consultation. That will certainly help make sure that education takes place and that people understand what employment equity means so that we dispel the myths that the honourable member previously mentioned.

What we are going to do is bring in legislation in the spring of 1992. It will be good legislation. It will be fair. It will be practical. But most important, it will be effective. It will have an implementation process, and we will make sure we use all the abilities and all the capabilities of our people in this province.

ONTARIO HYDRO RATES

Mr McGuinty: Two days ago in this House, under rigorous cross-examination by a member from his own party, the Minister of Energy, in response to a particularly devastating question—maybe I should repeat that question so we will see just how devastating it was in its impact.

The question was, "I wonder whether the minister has some comment." Obviously the minister was reduced to a quivering mass at that point in time, and he offered the following. He said, "The fact of the matter is that Hydro rates will not be increasing 44% over the next three years." He went on to add, "The increases, in fact, will be much lower than that."

The minister will know that the people of Ontario, home owners, tenants, owners of businesses, are very concerned about our hydro rates. Businesses are already planning their hydro budgets. But we are confused about what is going to happen, because the minister's well-paid Hydro chair has indicated that rates are in fact going up 44%. To relieve this confusion, I am going to ask the minister to confirm, first of all, that his chairman is incorrect and that the minister himself is correct and he can assure us absolutely that rates will not go up by 44% during the next three years.

Hon Mr Ferguson: What I tried to clarify is that the 44% figure—

Mr Elston: Slow down, Will.

Hon Mr Ferguson: If the honourable members will hold on for a minute. I listened to the question. I expect the honourable members to listen to the answer. That is the way we do it in here.

The 44% figure that was dropped is pure speculation. That is all it is.

Mr McGuinty: Just to remove any doubt from the minister's mind, I have here a copy of a very reputable source of news, the Kitchener-Waterloo Record—I am going to ask a page to take it over to the minister—which clearly attributes the 44% rate increase to the chairman.

That is dated July 17, 1991. I note that is now four months ago, and during that period of time Mr Eliesen has not once attempted to correct the record. The minister also, during that four months, has done nothing to correct the record. That headline has appeared in newspapers, we have heard about it on TV, we have listened to it on the radio, and we have debated it in this House for quite some time.

Perhaps the minister and the chairman could get together and talk energy policy at some point. But let's assume the minister is correct and the chairman is wrong. I ask the minister specifically how he can guarantee an increase of less than 44% and what specific actions he will take to guarantee this promise to the ratepayers of Ontario.

Hon Mr Ferguson: In the article the member has sent over, this is the quote attributed to Mr Eliesen: "From what I have been able to assess, Ontario Hydro is looking at the possibility of a double-digit rate increase for the next two to three years." That is all he said. It does not attribute a 44% figure to Mr Eliesen at all.

We are going to do everything we possibly can to ensure that rates do not escalate any more than necessary over the next two to three years, over the short term or over the long term, because quite frankly Ontario's economy cannot afford it.

I point out to the honourable member that the reason we are in the mess we are in today is because people forgot to plan for the future when they spent \$13.5 billion on a nuclear plant that operates at only 60% efficiency. That is why we are in the situation we are in today.

Mr McGuinty: On a point of order, Mr Speaker: The minister is being very irresponsible in selectively quoting from this article. He should go on to read—

The Speaker: Would the member take his seat. The member does not have a point of order.

ENERGY CONSERVATION

Mr Jordan: My question is for the Minister of Energy. The vice-president of Ontario Hydro feels it is his duty to persuade me that two lightbulbs per customer at a cost of \$7 million is a good deal. Due to the fact the minister is directing Ontario Hydro, not the vice-president, my question is, would the minister please leave his lights on bright and tell this House the formula he is using to establish the number of kilowatt-hours saved by a resident each day for three to five hours' use of that bulb?

Hon Mr Ferguson: Probably not surprising to the member, I do not have that information at my fingertips, but I would be more than happy to provide it to him.

What has become abundantly clear here in Ontario is that residents of this province are not aware of the number of energy-saving devices that are on the market. We are trying to make them aware.

The member for Lanark-Renfrew has continually been critical of this particular program. If he does not want the residents of his constituency to participate in the program, there are 129 other constituencies that gladly would take up the allotment that is supposed to go to his residents. Would he please tell me?

Mr Jordan: Mr Speaker, 16 days ago the minister in this House informed me that he was not a computer when I asked what conservation programs were available, the costs and the kilowatt-hours saved. I think it is time for the minister to stop functioning at 52 watts and provide this House with some details of this plan. An eight-watt saving for one hour is equal to 0.008 kilowatt-hours, or six cents a month or 75 cents a year, and the bulb costs 85 cents.

Hon Mr Ferguson: When I have had time to figure out what the question was, I will be able to give a response.

PRESCRIPTION DRUGS

Mr Frankford: As the Minister of Health is no doubt aware, this week has been designated Pharmacy Awareness Week in Ontario. With this year's theme, "Before you take it, talk about it," pharmacists across the province wish to generate some awareness among health consumers for the need to be informed about the proper use of prescribed medications.

I am sure the minister will agree that it is to everyone's benefit to balance the benefits of effective pharmacological agents against the potential hazards, especially among more vulnerable groups such as seniors. Inappropriate mixing of drugs, often obtained from multiple sources, is one real concern. Can the minister tell this House how her ministry can assist pharmacists and other health practitioners in promoting more rational use of drugs in this province?

Hon Ms Lankin: I am glad the member raises this question, particularly because it gives me an opportunity to highlight Pharmacy Awareness Week. I have had the occasion to meet with the Ontario Pharmacists' Association this week and to endorse the work it is trying to do to bring good information to the consumer about the need to think about drug utilization.

The theme of the week, "Before you take it, talk about it," underlines the role pharmacists can play in our system. Next to doctors, the pharmacist certainly is the person to whom we can speak to find out about medication, the side-effects of medication and about the effectiveness of it. It is an incredibly important role, and I am glad they are willing to take up that role and play it, particularly because we know there is a lot of evidence from the Lowy commission and others that there is inappropriate drug utilization, both in terms of physicians' prescription patterns and in terms of consumers' use. We know it is particularly a problem among our seniors, and I am endorsing the pharmacists in the work they are doing. I hope to be able to work with them in setting up a process to do a more effective drug utilization review.

1510

Mr Daigeler: Mr Speaker, I am sure you would want to know what the Minister of Energy left out in his earlier answer to the member for Ottawa South. "Mr Eliesen"—I am quoting from the newspaper—"suggested increases could be 13% each year, adding up to 44% when compounded over three years."

Interjections.

The Speaker: Would you stop the clock for a minute, please. Would the member take his seat. Order, please. I have stopped the clock.

The member for Nepean should know that when a member rises to place a question, he immediately identifies to whom he wishes to place the question and then he goes ahead with the background information. I was under the assumption that you were asking a question of the Minister of Energy.

I will allow the member to place a question. I will remind the member that he has already utilized some time, so I ask him to make his question succinct.

Mr Daigeler: Mr Speaker, you know my questions are always very succinct, because they are to the point.

My question is to the Treasurer. Two weeks ago I asked the Minister of Colleges and Universities whether he was aware that the Treasurer's ministry was studying ways to turn—

The Speaker: Order. The Minister of Energy, a point of order.

Hon Mr Ferguson: Very clearly, Mr Eliesen said "could," and that is what I have said in this House from day one: "could." That is the operative word, my friend.

The Speaker: The minister does not have a point of order. The member for Nepean.

ONTARIO STUDENT ASSISTANCE PROGRAM

Mr Daigeler: I will try again with the Treasurer. I was flabbergasted when I noted that the Minister of Colleges and Universities refused to dissociate himself from the Treasurer's plans to turn the OSAP program into a loans-only program.

I have now further confirmation that this government is abandoning the students, even though many of them put their faith in the NDP last year in the election. I am told that today his ministry is recommending to the cabinet committee on social policy that OSAP become a loans-only program. Why is the Treasurer out to destroy the OSAP program?

Hon Mr Laughren: The question is inappropriately directed to me and should be to the Minister of Colleges and Universities.

Hon Mr Allen: It is obvious the member for Nepean has a mole somewhere, but he will know, if his mole is quite effective and telling him the whole story, that in government at the moment, as in past governments of his own party and the third party, there are periodic wholesale program reviews that take place where all the options of government are laid out and looked at systematically and, in time, some decision is made. Some things are proposed, many things are rejected, and this is precisely the order of events he has managed to tap into.

Mr Daigeler: First of all, I can assure the minister that the mole he is talking about may be his own communications assistant, because his own communications assistant said in an interview with the Varsity, "Yes, we are studying the prospect of going to a loans-only system." If the minister does not know what is going on in the

Treasury, perhaps he should check with what is going on in that ministry.

In the spring he announced with much fanfare that there is a consultation on about changing OSAP. Now, however, we are finding out that he has completely undercut the work of this committee.

Here is what one of the committee members, Deanne Fisher, said when she heard of his plans: "I feel completely betrayed. This summer I was on a committee that was studying OSAP reform, and we never once discussed going to a loans-only system. I feel like I've wasted my whole summer." This is what one of the minister's own committee members said. Is that the minister's idea of consultation: Let the people discuss cosmetic changes to OSAP but keep them in the dark on his real plans to dismantle the OSAP program?

Hon Mr Allen: The member of course has read an article that I have read in the Varsity student newspaper, which has also heard something somewhere. I am not going to exercise thought control in my ministry so that people cannot think out options, but I am also not announcing in advance anything of any decision which will come down the road.

As far as the OSAP process is concerned, that consultation went through to the middle of the summer. We collected all the results of the consultation, put them in a document, circulated them throughout the university system, received comments back the middle of last month, two weeks ago. We are working vigorously on all the proposals to see what we can do to improve access through OSAP or any other means for the students of Ontario to all our universities and colleges.

EDUCATION SYMPOSIUM

Mrs Cunningham: My question is to the Minister of Education. We have been made aware—and I am sure the minister knows all about it—of a provincial symposium on the restructuring of education to be held December 16 and 17, 1991, at the Metro Toronto Convention Centre. Approximately 1,300 participants representing teachers, principals, administrators, school board trustees, professional associations, parents, students, visible minorities, labour, industry and business will attend the event.

As far as I am concerned, and the minister may agree with me on this, being a former school board trustee and chairperson as I was, I do not remember anything like this being held to announce a restructuring of education, certainly in my time. I am going to have to ask the minister what he is planning to spend on this event.

Hon Mr Silipo: The question is actually very timely because later this afternoon I will be discussing this matter with my officials. The symposium is part of the process of discussion that is going on with respect to the restructuring years. As the member has indicated, the attempt is to bring together on those days a number of people from the various school boards and the various sectors that are involved in this to get a report on the kinds of things that have been discussed to date and to hopefully set some further directions in the discussion process.

Mrs Cunningham: I am timely then, and I do not have a mole. I want the minister to know that when he talks about concurrent sessions on restructuring topics, it is on the agenda twice. Other than that, it is representatives of the ministry and the minister speaking.

With regard to the minister's midyear adjustment, there was \$50 million for the education transfer payment allocation to school boards which will affect programs. The minister remembers the money that was set aside as a saving because boards were not taking advantage of it. He must be pretty desperate when he starts looking at that, and I am sure he is.

We are setting a tone in this province right now and I think we have to be setting an example. My view is that in the past we may have asked every board to send a representative. I am not certain, but I would ask the minister to take that into consideration. I would also ask him right now to advise this House that he will look at the cost-effectiveness of a symposium where local boards have to spend money, like for a two-hour session the night before, just to come down for one evening. He may want to take a look at that. I think all of us are thinking of austerity in education right now.

Hon Mr Silipo: I certainly do not believe the member opposite has a mole, but I do believe that, as usual, she is on top of the job she does as an effective critic. I can tell her that the kinds of issues she has raised are exactly the kinds of issues I am discussing with my officials this afternoon.

1520

POST-SECONDARY EDUCATION

Mr Wiseman: My question is to the Minister of Colleges and Universities. I come from Durham region and in our region we have Durham College, which has some 40,000 to 45,000 full- and part-time students. We are receiving inquiries as to reforms that are necessary in the college system—

Interjections.

Mr Wiseman: Mr Speaker, my constituents are just as interested in what this question deals with as the members' constituents are in the questions they deliver in this House, and they consistently ignore the questions from the backbenchers over here. My constituents have a right to have these questions heard and answered just as much as their constituents do.

Interjections.

The Speaker: Would the member place his question, please.

Mr Wiseman: My question is to the Minister of Colleges and Universities about the state of reform that is necessary in the college system. I would like to ask him, at what stage are these reforms and can he give me some further information?

Hon Mr Allen: I thank the member for Durham West for his question. He has frequently come to me with advocacy for that college and he is very active on its behalf.

The three principal problems that exist in an otherwise extremely effective delivery mechanism for training in this province are:

First, that in their response to local communities, they have often developed programs which are not exactly transferable or which are not equivalent to others. Therefore it has been important to put in place a mechanism which will develop some degree of standardization to enhance mobility back and forth in the system for students.

Second, there are many students who try to get access to programs who have prior learning that they have acquired in one experience, in a workplace or in another place of learning or even in another country. They cannot get that recognized in order to get access to student programs, so we have put in place an initiative around prior learning to try to credit it, again to enhance the accessibility of the system.

Third, there is an increasing number of programs in which one needs advanced training, and we are undertaking a new initiative to facilitate the relationship between colleges and universities to provide advanced training programs for students.

Mr Wiseman: The colleges of Ontario are very diverse. They come from many different regions and they have many different concerns. The other part of this question is: How have these announcements been received by all of the colleges across the province? How are they coming along in terms of getting a consensus?

Hon Mr Allen: The reforms are well in hand. The cabinet has allocated \$2 million to developing them. There is an active implementation team in the first project, there is a group working on the terms of reference for the second, and there has been a commission put in place, headed by Walter Pitman, that will be looking at what is called An Institute Without Walls: Special Relationships Between Colleges and Universities. The entire system is very enthusiastic, having proposed these reforms in the first place through the major study of the system called Vision 2000, which members, I think, participated in.

LONG-TERM CARE

Mrs Sullivan: I have with me a copy of the Minister of Health's announcement of October 4 relating to long-term care funding and I have a question to her relating to that announcement. The announcement indicates that there will be \$12.1 million in additional dollars in this fiscal year for nursing homes and charitable homes for the aged. Discussions with representatives of those bodies lead us to believe that this amount will translate into an increase of about \$1.30 per resident per day in a nursing home. To date the money, which the minister indicated in this release would flow on September 1, has not been seen. But the new money still leaves a gap of \$35 a day between the two systems, a gap that continues to ensure inequities in the quality of care delivered in homes for the aged and nursing homes.

I am asking the minister if she can explain her disregard for the 30,000 residents who are seniors in nursing homes and who the minister has already admitted require the same level of care, no matter where they are housed?

Hon Ms Lankin: I find the question interesting because the member who asks it was a member of the government that for a number of years took no action to resolve this problem of the difference in per diems between the rates of nursing homes and homes for the aged. I agree with her there is a problem and there is a disparity between the rates. I agree with her that it is a pressing problem that needs to be addressed. Where I disagree with her is that somehow I have abandoned these people. I, in fact, am the first minister who has taken steps to try to address the problem.

We have done three things. We have provided some money for this year that will be, we hope, a bridge to the future to try to stabilize the industry, acknowledging that there are serious problems. We are in discussions this very week again with the association trying to flow that money. We have provided a guarantee of an increase in it for next year, which is a bridge to level-of-care requirement funding which we have guaranteed will be in place by January 1993.

Mrs Sullivan: Just on those points, if members look at the long-term care document the minister presented, what we see is that the New Democratic Party is looking at committing \$207 million to the system, \$150 million of which will come out of the residents' own pockets. Members can see that on page 33 of that report.

I also understand the minister will require nursing homes, under the new funding arrangement, to provide 2.5 hours of personal and nursing care per resident per day. This translates, members should know, for the average nursing home to about four or five additional minutes of care every 24 hours.

In the October 4 announcement, the minister said that nursing homes and homes for the aged "must be better equipped to deal with the increasingly complex service requirements of their residents." The minister has built expectations in this area. Will she explain to those residents how those four or five minutes of extra care will mean that nursing home residents "have their quality of life significantly improved by these enhanced levels of service"? Those enhanced levels of service are four or five minutes every 24 hours.

Hon Ms Lankin: I think the member raises a good question, but it is a bit out of context in that what we are moving to is a level-of-care requirement in which each client-patient within a nursing home will have his or her actual individual needs assessed and the per diems and the money that flows to that home will be based on that level-of-care requirement.

Currently, we have an unfortunate situation where, as a result of years of inaction on behalf of governments, we have nursing home clients receiving very varied levels of hours of care. What we are trying to do is take the first step to standardize that to a higher level than what the provincial average is right now. That standardization is going to take the infusion of money that we have indicated for this year and next, and we will be moving to full level-of-care requirement in January 1993.

MOTIONS

COMMITTEE SUBSTITUTIONS

Hon Mr Cooke moved that the following substitutions be made:

On the standing committee on finance and economic affairs, Ms Akande for Mr Hansen; on the standing committee on estimates, Mr Hansen for Mr Farnan; on the standing committee on the Legislative Assembly, Mr Farnan for Mr Jamison; on the standing committee on regulations and private bills, Mr Drainville for Mr Fletcher.

Motion agreed to.

PETITIONS

FRENCH-LANGUAGE SERVICES

Mr Jordan: I wish to table a petition which reads:

"To the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas on November 16, 1986, the French Language Services Act of Ontario had been passed in French and implementation procedures were not publicized for the awareness of the general public, and because 70 elected members were absent in the House on the above date, the majority of citizens of Ontario were not represented; and

"Whereas at no time have the people of Ontario chosen to become officially bilingual by giving a mandate to the government or by referendum; and

"Whereas the vast majority of Ontarians speak English fluently; and

"Whereas the implementation of Bill 8 is proceeding with enormous cost to the taxpayer while cutbacks are being made in the funding of health care, education, environment, etc; and

"Whereas one official language is a practical necessity;

"We, the undersigned citizens of Ontario, hereby affirm that we desire English to be the one and only official language and, furthermore, petition the government of Ontario to repeal Bill 8, the French Language Services Act of Ontario, without delay and keep English the only official language in this province.

"We further respectfully request the above-mentioned member of Parliament to stand and read this petition, imploring every member of the House to study this law and demand a copy of its implementation procedures manual and to bravely reveal the contents of both law and implementation to his/her constituents who may then be able to intelligently take a personal stand on this issue as soon as possible."

1530

OATH OF ALLEGIANCE

Mr J. Wilson: I have the pleasure to present a petition to the Legislature of Ontario that reads as follows:

"Whereas the Queen of Canada has long been a symbol of national unity for Canadians from all walks of life and from all ethnic backgrounds;

"Whereas the people of Canada are currently facing a constitutional crisis which could potentially result in the

breakup of the federation and are in need of unifying symbols;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to restore the oath to the Queen for Ontario's police officers."

That is signed by a number of good people in my riding of Simcoe West, from the town of Stayner and the town of Collingwood, and I too have affixed my name to this petition.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON SOCIAL DEVELOPMENT COMITÉ PERMANENT DES AFFAIRES SOCIALES

Mrs Caplan from the standing committee on social development presented the following report and moved its adoption:

M^{me} Caplan du Comité permanent des affaires sociales présente le rapport suivant et propose son adoption :

Your committee begs to report the following bills with certain amendments:

Bill 43, An Act respecting the regulation of Health Professions and other matters concerning Health Professions/Projet de loi 43, Loi concernant la réglementation des professions de la santé et d'autres questions relatives aux professions de la santé ;

Bill 44, An Act respecting the regulation of the Professions of Audiology and Speech-Language Pathology/Projet de loi 44, Loi concernant la réglementation des professions d'audiologue et d'orthophoniste ;

Bill 45, An Act respecting the regulation of the Profession of Chiropody/Projet de loi 45, Loi concernant la réglementation de la profession de podologue ;

Bill 46, An Act respecting the regulation of the Profession of Chiropractic/Projet de loi 46, Loi concernant la réglementation de la profession de chiropraticien ;

Bill 47, An Act respecting the regulation of the Profession of Dental Hygiene/Projet de loi 47, Loi concernant la réglementation de la profession d'hygiéniste dentaire ;

Bill 48, An Act respecting the regulation of the Profession of Dental Technology/Projet de loi 48, Loi concernant la réglementation de la profession de technologue dentaire ;

Bill 49, An Act respecting the regulation of the Profession of Dentistry/Projet de loi 49, Loi concernant la réglementation de la profession de dentiste ;

Bill 50, An Act respecting the regulation of the Profession of Denturism/Projet de loi 50, Loi concernant la réglementation de la profession de denturologue ;

Bill 51, An Act respecting the regulation of the Profession of Dietetics/Projet de loi 51, Loi concernant la réglementation de la profession de diététiste ;

Bill 52, An Act respecting the regulation of the Profession of Massage Therapy/Projet de loi 52, Loi concernant la réglementation de la profession de massothérapeute ;

Bill 53, An Act respecting the regulation of the Profession of Medical Laboratory Technology/Projet de loi 53, Loi concernant la réglementation de la profession de technologue de laboratoire médical ;

Bill 54, An Act respecting the regulation of the Profession of Medical Radiation Technology/Projet de loi 54, Loi concernant la réglementation de la profession de technologue en radiation médicale.

Bill 55, An Act respecting the regulation of the Profession of Medicine/Projet de loi 55, Loi concernant la réglementation de la profession de médecin ;

Bill 56, An Act respecting the regulation of the Profession of Midwifery/Projet de loi 56, Loi concernant la réglementation de la profession de sage-femme ;

Bill 57, An Act respecting the regulation of the Profession of Nursing/Projet de loi 57, Loi concernant la réglementation de la profession d'infirmière ou d'infirmier ;

Bill 58, An Act respecting the regulation of the Profession of Occupational Therapy/Projet de loi 58, Loi concernant la réglementation de la profession d'ergothérapeute ;

Bill 59, An Act respecting the regulation of the Profession of Opticianry/Projet de loi 59, Loi concernant la réglementation de la profession d'opticien ;

Bill 60, An Act respecting the regulation of the Profession of Optometry/Projet de loi 60, Loi concernant la réglementation de la profession d'optométriste ;

Bill 61, An Act respecting the regulation of the Profession of Pharmacy/Projet de loi 61, Loi concernant la réglementation de la profession de pharmacien ;

Bill 62, An Act respecting the regulation of the Profession of Physiotherapy/Projet de loi 62, Loi concernant la réglementation de la profession de physiothérapeute ;

Bill 63, An Act respecting the regulation of the Profession of Psychology/Projet de loi 63, Loi concernant la réglementation de la profession de psychologue ;

Bill 64, An Act respecting the regulation of the Profession of Respiratory Therapy/Projet de loi 64, Loi concernant la réglementation de la profession d'inhalothérapeute.

Motion agreed to.

La motion est adoptée.

Bills ordered for third reading.

Les projets de loi devront passer à l'étape de troisième lecture.

INTRODUCTION OF BILLS

MUNICIPAL EMPLOYEES RETIREMENT STATUTE LAW AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT DES LOIS EN CE QUI CONCERNE LA RETRAITE DES EMPLOYÉS MUNICIPAUX

Mr Cooke moved first reading of Bill 151, An Act to amend the Ontario Municipal Employees Retirement System Act and the Municipal Act.

M. Cooke propose la première lecture du projet de loi 151, Loi modifiant la Loi sur le régime de retraite des employés municipaux de l'Ontario et la Loi sur les municipalités.

Motion agreed to.

La motion est adoptée.

Hon Mr Cooke: This is the legislation I announced by ministerial statement last week.

LABOUR RELATIONS AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT LA LOI SUR LES RELATIONS DE TRAVAIL

Mrs Witmer moved first reading of Bill 152, An Act to amend the Labour Relations Act.

M^{me} Witmer propose la première lecture du projet de loi 152, Loi modifiant la Loi sur les relations de travail.

Motion agreed to.

La motion est adoptée.

Mrs Witmer: The purposes of this bill are to provide that representation, strike votes and ratification votes of a collective agreement are mandatory in all cases and to require secret ballots in all such votes.

ORDERS OF THE DAY

FIRE MARSHALS AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT LA LOI SUR LES COMMISSAIRES DES INCENDIES

Resuming the adjourned debate on the motion for second reading of Bill 131, An Act to amend the Fire Marshals Act.

Suite du débat ajourné sur la motion visant la deuxième lecture du projet de loi 131, Loi modifiant la Loi sur les commissaires des incendies.

Mr Runciman: I want to say with respect to Bill 131, An Act to amend the Fire Marshals Act, that our party, the Conservative Party of Ontario, has made an effort to contact the interested groups affected by this legislation and I must say we have had no negative feedback whatsoever, that indeed all the parties involved are very positive about the legislation as introduced and the impact it is going to have in respect of the ability of fire marshals and fire authorities throughout this province to do a much more effective job.

In that respect, I want to say we in the opposition have been criticized from time to time by the government as being too critical and perhaps petty about government legislation. I want to indicate that when we have legislation like Bill 131, which is constructive, progressive and helpful to the community at large, we can be very supportive and co-operative in ensuring quick passage.

Today my remarks are going to be really nothing further than to indicate our support for this legislation, and we are prepared to see it go to third reading today and have royal assent as quickly as possible. I move adjournment of the debate.

On motion by Mr Runciman, the debate was adjourned.

A la suite d'une motion présentée par M. Runciman, le débat est ajourné.

ONTARIO MEDICAL ASSOCIATION DUES ACT, 1991

LOI DE 1991 SUR LES COTISATIONS DE L'ONTARIO MEDICAL ASSOCIATION

Resuming the adjourned debate on the motion for second reading of Bill 135, An Act to provide for the Payment of Physicians' Dues and Other Amounts to the Ontario Medical Association.

Suite du débat ajourné sur la motion visant la motion de deuxième lecture du projet de loi 135, Loi prévoyant le paiement des cotisations des médecins et d'autres montants à l'Ontario Medical Association.

Mr Runciman: I am going to make my remarks on this bill relatively brief today. Although I had some inclination, as I expressed yesterday during the debate, to filibuster this bill because I think in essence this whole agreement with the government and the OMA is not in the best interests of health care consumers in this province, I have been convinced that perhaps it is not in the best interests of this House and the business of this House that I engage in a filibuster.

I advertised the phone number of my office yesterday during my comments on this and we did get a significant number of calls, some from members of the medical profession. The calls I received from doctors—I have not had an opportunity to get back to all of them—not surprisingly were in disagreement with what I was saying.

One doctor's wife from Sarnia, whom I will not name, felt I was being extremely harsh with respect to doctors and the approach they take to providing health care in this province, and she may be correct. I expressed some reservations last night in terms of tarring all doctors with the same brush, and I acknowledge that there are members of the medical community very much devoted to providing the best possible health care to the people within their community.

At the same time, a lot of my criticisms and concerns are lodged with the Ontario Medical Association, the body representing doctors across this province—now representing all doctors whether they like it or not—and I am not going to backtrack on the things I said related to the OMA and what I describe as a sweetheart deal with the socialist government that in my view is not in the best interests of the health care consumers or taxpayers of this province.

I had a call from a doctor in Toronto who took issue with the fact that I said doctors were the highest-paid profession in the province. I said that if I had made an error on that I would correct it. I was able to get the latest statistics, the 1990 taxation statistics from Revenue Canada, and self-employed medical doctors and surgeons are by far the highest-paid professionals. There is no question about it, so I do not have to apologize. I understand that doctor's concerns. He indicated to me he is working 60 to 70 hours a week—

Mr Miclash: On a point of order, Mr Speaker: We have not seen the Premier here for days on end, and we do not have enough members to make up the quorum. Might I remind the government members that they are responsible for keeping a quorum in this House. I call for a quorum call.

The Deputy Speaker ordered the bells rung.

1543

Mr Runciman: I was talking about the doctors being the highest-paid profession and having a doctor call me and be critical of that. Revenue Canada indicates that self-employed medical doctors and surgeons are the highest-paid profession, followed not too closely by self-employed dentists and, at an even farther distance, by self-employed lawyers and notaries, so they are indeed the highest-paid profession. But many of them, there is no question, earn the incomes they are generating and devote a significant amount of time to their patients in the health care system.

But by and large, I have concerns which I expressed last night and I am not going to apologize for the way in which I expressed them, despite the criticism that has been coming over my phone lines for the past 12 hours from doctors and members of doctors' families.

An hon member: Don't get sick, Bob.

Mr Runciman: Absolutely. I will have to stay away from illness for the next few years until memories fade, I guess.

I had a call from a nurse at Toronto Western Hospital who was very supportive of what I was saying last night and she mentioned a specialist, a spinal surgeon, who has developed a number of innovations in medical treatment respecting fusions, who developed a rod for the spinal column of patients with scoliosis. He had patients coming from all over Canada and the United States. He has now moved to Johns Hopkins Hospital in the United States. The other spinal surgeon at that hospital is contemplating a move to the United States. We are seeing specialists moving out of this province at a rate which should concern us all.

This individual suggested that in her 10 years of working in the health care system of Ontario, things are simply changing for the worse year after year. Quality of care is no longer there like it was when she first came to the health care system in Ontario 10 years ago. She talked about the fact that it is difficult for patients even to get time in the operating room. She says that at Toronto General Hospital they have patients frequently coming in two or three days in advance of the operation and then having that operation cancelled. There is simply not enough staff. Surgeons are overbooked. They are limited on time available in operating rooms. They do not even have intensive-care time available for some of the patients and they have to be put into general wards. It is a situation which should concern us all.

I am going to sum up very quickly and talk about the elements of this deal that most concerns me, the fact that the OMA has now become, to all intents and purposes, a union. We are talking about a professional organization which has now turned itself, through agreement with this government, into a union. I do not think that is appropriate and I do not think that is in the best interests of health care consumers.

The OMA has also reached an agreement with the government where, if indeed it cannot reach some sort of settlement in respect of fee for services, we are going to be submitted to binding arbitration. Again, we are talking about a figure in excess of \$5 billion—next year probably

\$6 billion—of taxpayers' money which has a potential, in terms of the decision-making process, of being taken out of the hands of the government, the Treasury and elected officials of this assembly. I do not believe, again, that is in the best interests of Ontario taxpayers.

Finally, on the management team that has been established—I do not have the papers in front of me—with respect to making long-term decisions on how to make the health care system more effective, more efficient in this province, those responsibilities are now being lodged with the medical community through the OMA and the government, excluding all other health care providers in this province. Again, I do not think that is appropriate, because we have not seen the OMA clean up its own act with respect to the operations of surgeons and the waste that occurs within physicians' offices and within hospitals under responsibilities which come within the direct control of physicians in this province.

I do not think it is wise for us to put all our chips on the medical community to be making those kinds of decisions, or to be monitoring the health care system in order to make recommendations that are going to impact on all of us in the years to come. I think this is a bad deal for all of us as taxpayers. We in this assembly should be very much concerned that, for all intents and purposes, we have been excluded from this process and that for years to come we will be totally excluded from having any role to play in a meaningful way.

Mrs Cunningham: I am happy to have the opportunity to speak to Bill 135. I want to speak with a specific issue in mind. The specific issue is one that has been brought to the concern of probably many members of this Legislative Assembly in a letter dated October 3—certainly to myself, and I am aware of the member for London South having the same letter; I am not aware of others. But anyone who has anything to do with the University of Western Ontario in southwest Ontario should know that the faculty association at the university is very concerned about this legislation, and it is just one of a larger organization called OCUFA, the Ontario Confederation of University Faculty Associations.

To put it bluntly, the concerns with regard to this government's agreement with the Ontario Medical Association are more to do with the process, and reflect directly on the professors in the teaching hospitals who are also physicians.

"There are legally constituted faculty bargaining units at the five Ontario universities with medical schools." I am quoting here from a letter dated October 3 from OCUFA. These units represent physicians who would now be defined as OMA members under the current wording of Bill 135. "In some quarters this legislation has been called an illegal raid of faculty bargaining units." In the cases of at least two faculty units there is a possibility of a significant loss of membership.

1550

This has not been treated lightly by the universities, certainly aware of the concerns at Western. I have before me a document noting considerable deliberations by the

faculty of medicine at the University of Western Ontario and affiliated teaching hospitals, academic health centres, and it is called A Plan for Staffing and Funding of Clinical Academic Units. It talks about negotiation rights. It also has recommendations, which I plan to give to the Minister of Health, because I think these are the kinds of things that really upset the community, when all aspects of an agreement such as this, and ramifications of such, have not been taken into consideration by a government.

I continue to read:

"The situation on each of the five campuses varies dramatically. These are complex situations which can only be handled on a local basis. Four of five of the bargaining units represent clinicians to some extent. There are a range of physician duties as professors on each campus: those who do only research, those who do research and teach, those who have cross-appointments with hospitals and universities, and those who teach as clinicians on an occasional basis.

"Faculty association bargaining units have traditionally represented faculty on a wide range of issues, including promotion and tenure."

I will not go on. It is quite a lengthy letter. At the very end they say, "OCUFA had discussed this situation with the OMA and has proposed an amendment to section 1 of Bill 135 as follows:

"This act does not apply to individuals represented by faculty bargaining units in Ontario universities."

"In addition, we have suggested that the legislation contain an exception to the above: that where the OMA and the faculty bargaining units have an agreement to negotiate (together or on agreed-upon terms) with the university administration, the act would apply."

Now, we have been asked to ensure that the above amendments are included in Bill 135 at second reading. That is a difficult thing to do when we are not a member of the government, but we give this a go every once in a while. I will advise certainly the government members that it is our intent in the Conservative caucus to have this bill referred to committee of the whole House so that this particular amendment can be deliberated upon fairly.

I want to make it clear that my preference would have been to have this in a standing committee of the Legislative Assembly because, in fairness to the Ontario Medical Association, it did agree that it thought this would be appropriate for a day's hearings. Since OCUFA does not feel it has had fair hearings, the Ontario Medical Association thought if we saved this one amendment and that OCUFA were the sole spokesperson at a committee meeting for one day, it would have been an opportunity for government representatives and representatives of the faculty associations at those hospitals to have a fair exchange, which they feel they have not had.

The government House leader said he would not agree to that. It is very difficult for us to force this into committee this afternoon, so we will have to be satisfied with getting it into the committee of the whole House, which we can deliberate upon in another week.

With those comments, I have certainly spoken to the content of our referral later on this afternoon. I should say

that when we are going into these kinds of negotiations in the future, I think the government is at great risk, given what it says it stands for and not taking the time to discuss openly the kinds of amendments that the faculty associations would like to have seen at least some fair consideration for.

Thank you, Mr Speaker, for the opportunity to put my remarks on the record. Hopefully the government will take another look at this next week and perhaps we can come to some conclusions to solve the problems, which I think are very real. I would advise this government to meet in the next week with the OMA and OCUFA, and see if the government and the minister cannot come to some kind of agreement around an amendment to alleviate the concern of so many of the physicians who belong to the teaching hospital faculties, the university faculties, across the province of Ontario. It would be refreshing if that could happen.

Mr Callahan: I got distracted when the member for London North was speaking. Is this a group of people who will be required to pay fees to the Ontario Medical Association even though they are not practising, and did they have an opportunity to appear or to be involved in the negotiations between the minister and the OMA?

Again, I did not have an opportunity to get an explanation of that. It would seem to me that any collective bargaining, which is really what this was—members can call it what they like, but I call it collective bargaining between the minister and the Ontario Medical Association, and I am sure that if we were to suggest collective bargaining should take place without all the parties at the table, the government opposite would go absolutely wrangy. In fact, the member for Hamilton East, the Minister of Labour, who has always been a stalwart of ensuring that labour is properly represented at the bargaining table, would certainly be the most exercised. I find it passing strange that the Minister of Health, in negotiating this agreement with the Ontario Medical Association, would not have made certain that all parties were represented at the table.

I also took a quick look at the bill. It seems to me there is no provision there either for people who perhaps are semi-retired. Are they required? I would ask the minister that question, but she is not here so I cannot get an answer. Perhaps the member for London North can provide me with that answer.

What provision is there in here for doctors who are perhaps in retirement or semi-retirement in terms of their having to continue to pay their fees?

The Deputy Speaker: Are there any further questions or comments?

Mrs Cunningham: This is a comment. It is appropriate.

The Deputy Speaker: You will have an opportunity at the end.

Mr Henderson: I think it bears on some of the comments of the member for Brampton North and the previous commentator that the OMA—I am doing this from impression; I do not have the information in front of me. Most medical associations make provision for different levels of fee and membership for different categories of physicians,

including retired physicians, sometimes part-time physicians. I suspect it does not need to be spelled out in the legislation. I suspect it is covered by the OMA schedule of dues that are type-rated according to the position of the physician.

Mrs Cunningham: I certainly agree with the concerns as relayed to me by my colleague the member for Brampton South, and I think he should pursue the responses to his questions with the minister.

I can only tell him what I know, given both the letters I have had from the Ontario Medical Association and from the faculty associations, and they are concerned about the opportunity they had for input, and they are more concerned about the lack of response they have had to their concerns. I spoke to the government House leader about getting this into a committee for a day just on this one issue, because I feel we are not really in a position right now to jeopardize an agreement. That is not why I am standing up here, but to amend one subsequently or to in some way satisfy the concerns of these teaching physicians would, I think, be an appropriate and responsible action on behalf of the government.

I raise this in all seriousness because there is great concern, and what we have really done is pitted the Ontario Medical Association against the faculty associations. Now we have two groups arguing with each other about something one group did not even know was happening, or if they did know it was happening, they thought perhaps they could have been represented in some way at that table. If they were, they are not aware of it.

I think the questions from the member for Brampton South are quite legitimate. I believe we should put this in to the committee so we can take a look at it just for one day. We would appreciate that kind of support from the government.

1600

Mrs Caplan: I am pleased to rise today to debate Bill 135, An Act to Provide for the Payment of Physicians' Dues and Other Amounts to the Ontario Medical Association.

I believe this bill is very much in the interests of the Ontario Medical Association, but it is not in the interests of individual doctors in this province. I support the request from the member for London North, who has suggested that one day of public hearings is appropriate for those members of the profession who wish to come to put on the record their feelings about this piece of legislation.

I point out—and I have had some experience in matters of this kind—that this piece of legislation is part of a broad framework agreement between the Ontario Medical Association and the government of the day, the New Democratic government, in this province.

There are some very significant portions of this particular act which I think are noteworthy. Section 1:

“(1) This act applies to physicians licensed under part III (Medicine) of the Health Disciplines Act who are engaged in the practice of medicine in Ontario or who conduct health research in Ontario.”

What this effectively does is to require all licensed doctors in Ontario to pay dues to the Ontario Medical

Association, whether or not they are members of that association.

I remember back in 1986, I think it was, when there was quite a discussion about freedom for doctors in Ontario. I remember how passionately many doctors felt about their rights. I remember as well that we had a lot of discussions at that time about what freedoms doctors had and what freedoms within our medicare system had been somewhat compromised in the public interest.

This is a very significant loss of freedom for individual doctors in this province. Under this piece of legislation, they do not even have checkoff. They do not have the right to say, “We want our dues to go,” or, “We don’t want to pay dues.” Under this legislation, every doctor licensed in Ontario will have the dues deducted automatically from his or her OHIP billings. That is what this legislation does. What this act says very clearly in section 2 is, “Every physician who is a member of the Ontario Medical Association shall pay the association’s dues and assessments.”

Section 3 says:

“(1) Every physician who is not a member of the Ontario Medical Association shall pay the association amounts equal to the dues and assessments that the association would charge if the physician were a member.”

Subsection 3(2) says that the amounts required include an amount for membership fees for the Canadian Medical Association “but do not include amounts for insurance, pensions or other benefits that are available only to members of the Ontario Medical Association.”

What this does is to say to all the doctors of the province, “You’re going to pay the dues whether you are a member or not, but you are not going to get any of the other benefits in the way of pension or insurance or anything else.”

I believe there are many doctors in the province who support this legislation and who support the agreement negotiated between the New Democrats and the Ontario Medical Association, but I believe that many of the doctors in this province do not fully understand the implications of this legislation.

I remember back almost a year and a half ago when the Ontario Medical Association, in its negotiations with the Liberal government of the day, of which I was Minister of Health, made its request for the Rand formula—which this is—which creates a trade union within the Ontario Medical Association that requires every doctor licensed in this province to have fees deducted on his behalf by the government of Ontario from his OHIP billings and submitted directly to the Ontario Medical Association.

I remember when the association made that request of our government, and I personally felt very strongly that the Rand formula was not in the interests of individual physicians. It was not in the interests of the doctors of this province to be seen as labour. It was not in the interests of the doctors of this province, in my opinion, to be part of a trade union. It was my view that doctors should be seen as part of a management team and should not have their freedom taken away to decide whether they wanted their dues paid to the Ontario Medical Association. In a way, it was co-opting all members.

There are almost 20,000 doctors in Ontario. As I said, I know that many of them support this legislation. But I know many of them do not support the legislation requiring a deduction from their OHIP billings to be paid on their behalf directly to the Ontario Medical Association. I resisted very strongly, and the Liberal government resisted, the request for the Rand formula. We told the OMA that we did not believe every doctor should be forced to pay dues to the OMA whether he or she was a member or not. We did not believe that was in the interests of better health. We did not believe it was in the interests of individual doctors.

We believed, further, that it would create a labour model in this province for a profession which did not consider itself to be employees. Time and again, I heard doctors in this province tell me that the OMA did not represent their point of view and they wanted the freedom to express directly to government, both through negotiations of their fees and through discussions on health policy matters, the issues that were of concern to them.

First reading of this piece of legislation took place on June 26, 1991. We know that OHIP payments comprise about 32% of Ontario's spending on health services. We know as well that the total budget of the Ministry of Health now approaches \$17 billion, which is almost a full one third of the provincial budget. We know that the total for physicians' fees, the total of the OHIP vote, is more than \$4 billion, and we know that the cost of the agreement reached between the New Democratic government and the Ontario Medical Association was in the area of \$480 million. That is a very significant amount of money, particularly at this particular time in the province.

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As I see this piece of legislation before the House, I think there are some very significant things that should be pointed out as part of this overall agreement, although it is not significantly part of this legislation.

We know that as well as granting the Ontario Medical Association the right not just to collect the dues but to receive the dues directly from the government, the government now recognizes the Ontario Medical Association as the sole representative of all doctors in this province in negotiating amounts payable for insured services or in negotiating facility fees under the Independent Health Facilities Act.

We know there is an automatic Ontario Medical Association representation right that has been extended to doctors, physician-sponsored health service organizations, all government-employed doctors covered by the government psychiatric agreement—the OMA is now the sole representative—the Workers' Compensation Board, as well as doctors working in independent health facilities.

We know that in the overall agreement that has been negotiated, the Ontario Medical Association must earn the right, by a vote, to represent doctors in community health centres and non-doctors who are working in health service organizations, hospitals and universities; that is, non-physician-sponsored health service organizations and those health service organizations which are not

physician-sponsored but which are sponsored by hospitals, universities and community groups.

Prior to this agreement, for the purpose of negotiations, the Ontario Medical Association represented only those doctors who were practising fee-for-service medicine. At that point in time it was about 95% of the profession that the association represented as it was negotiating a fee-for-service contract with the government.

In extending representation rights to doctors who work in health service organizations, community health centres and teaching hospitals, the government really has acknowledged the Ontario Medical Association fears that were expressed during negotiations around the loss of influence as alternative payment mechanisms and alternative payment compensation were negotiated with the province, whether it was with faculties in hospitals or faculties of medicine in clinical teaching units, where the universities had very significant influence as well. Certainly more and more were interested in alternative payment because that was a way of protecting physician income as they looked at alternative ways of providing service.

In its agreement the government agreed to both introduce and support legislation before June 30, and it did so. I believe many of the doctors in this province, and many members on the government benches, do not fully understand the implications of the agreement they entered into.

Through the discussion of this piece of legislation, we have an opportunity, for the only time in this Legislature, to really fully explore and discuss some of the features of that which are cause for concern for both doctors and taxpayers in this province. To a large degree, I agree with some of the statements made by editorial boards across the province, and I want to put them on the record.

For example, on May 23, 1991, the *Globe and Mail* stated, "The Ontario Medical Association has stripped individual doctors of control over their earnings, their right to secret ballot, their right to free association and ultimately their ability to determine how they practise medicine."

Another very significant *Globe and Mail* quote on May 23 stated, "The Ontario Medical Association executive has assumed powers that no trade union executive should enjoy, and effectively turned the association into a trade union, the Ontario medical workers' union, in which members do not have union membership rights."

Further, a report to the Toronto board of health on the payment of Ontario physicians dated February 6, 1991, said that if the government was really acting the part of the employer, it would raise the payment for services it wanted and reduce payment for those services it felt were being provided too frequently. "With binding arbitration and the Rand formula, the Ontario Medical Association has gained the rights of a trade union without the government gaining the right of the employer to set hours and conditions of work." That was from a report to the Toronto board of health on the payment of Ontario physicians dated February 1991.

I think those quotes raise some of the concerns that both doctors and the people of Ontario should have about this agreement. In many aspects, the Ontario Medical Association will have a veto over further health reform

policies in this province. At the same time as the Ontario Medical Association has achieved that kind of health policy veto, the government of Ontario did not gain the opportunity to influence the structural reforms that are so badly needed in this province.

I understand that since this agreement was negotiated, I believe almost 10 months ago now, there have been no alternative payment agreements signed, because it imposes the Ontario Medical Association as the sole bargaining agent for doctors in universities, in clinical teaching units, who do not wish to have the Ontario Medical Association as their sole bargaining agent. It is my understanding—I stand to be corrected—that this agreement has interfered with the process that was well under way in negotiating alternative payment mechanisms with clinical teaching units in this province, in negotiating additional health service organizations.

I understand there has been a complete halt to the negotiation of additional health service organizations in this province. I am aware of a letter that was sent out from the new Deputy Minister of Health to all health service organization physicians saying, "Everything is on hold and we are renegotiating your contract with the Ontario Medical Association."

I think there are many surprises contained in this piece of legislation that the government has said heralds a new time of co-operation. I want to say that I hope there will be that co-operation. Certainly it is my view that it is in the interests of the people of this province for the doctors to be working in co-operation with the government.

I know it might surprise many people in this Legislature when I make the statement that when I was at the Ministry of Health, I believe that on most health policy issues we found the participation and involvement of doctors right across this province a very important and significant contribution to the development of health reform policies. Doctors were involved in virtually every committee within the Ministry of Health while I was there. Doctors, whether they were members of the Ontario Medical Association or not, were involved in the development of reform strategies at the Ministry of Health and served on virtually every advisory committee within the ministry. We had quite a good working relationship with individual doctors in this province. That does not mean we agreed on everything; we certainly did not.

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We had a reasonable working relationship with the Ontario Medical Association until it came to the question of powers for the Ontario Medical Association, the powers under the Rand formula. Representation rights were a very significant sticky issue, because on that we simply did not agree. I did not agree that the doctors in this province would want to be part of a trade union. I did not believe and did not agree that the Ontario Medical Association should be interposed and have automatic representation rights for people who were not its members, without their right. I felt that was a freedom the doctors of this province should not have to give up without having a vote and a say. I did not believe that was in the best interests of the development of health policy.

Labour models of negotiation tend to be quite adversarial: the union versus management. Those models are adversarial models. It is my feeling that the doctors of this province do not want to be part of labour, that they do not want to be part or forced to be part of a trade union. It is my feeling that the doctors of this province would prefer to be part of management, rather than be part of labour.

When I see Bill 135 before us in the Legislature, which deals primarily with money and power for the Ontario Medical Association, I feel that perhaps the doctors of this province are not fully aware of the implications of this piece of legislation. I believe that over the medium to long term the doctors of this province and the people of Ontario will not be well served by the labour relations model that has been set in place and by the creation of a trade union for the Ontario Medical Association by this piece of legislation.

It is my belief, as I said earlier, that the leadership of the Ontario Medical Association supports this legislation and that it is in the interests of the Ontario Medical Association, but I do not believe this piece of legislation is in the interests of good health policy. I do not believe it is in the interests of the people of Ontario and I do not believe it is in the interests of individual doctors who are going to have their dues to the Ontario Medical Association automatically deducted from their OHIP billings, regardless of whether they are members of the Ontario Medical Association. They are going to have money deducted from their OHIP billings without their consent.

This legislation is a significant loss of freedom for the doctors in this province. As I rise today to participate in the debate on Bill 135, I feel that those doctors who do not support this should have the opportunity at committee to come forward for a day and speak their minds and say how they feel about this.

While the piece of legislation before us today conforms with the spirit of an agreement that was entered into, I believe the government of the day, the New Democratic Party, before too long will realize this is not in the interests of the people of Ontario and we will see that agreement discussed again in this Legislature in the not-too-distant future, when the agreement stands in the way of health reform and when the doctors of this province realize that the powers that have been given to the Ontario Medical Association are not in the interests of either the rank-and-file members or those who are not members. I do not believe this legislation is in the interests of the doctors who are licensed to practise in Ontario.

Mr Callahan: I think the suggestion made by my colleague the member for Oriole that this matter go to a committee was also briefly echoed by the member for London North, in order to allow these people, who apparently have not been heard in what had to appear to have been a collective agreement negotiated by the Minister of Health with the OMA, to be heard.

It strikes me as strange. There is a principle of natural justice that says all sides should be heard. If the government of the day rejects that and forces it into committee of the whole, that deprives these people of the opportunity to be heard.

It flies in the face of the principle of natural justice that sides should be heard. It reinforces something I find very remarkable. This government would scream if in a collective bargaining scenario all parties were not present at the table, yet that is exactly what I understand to be the case in the comments of the member for Oriole and the member for London North, that there are people who were not at the bargaining table and did not have an opportunity to put their views forward as to whether or not they wished to have this type of legislation take place, whether it be an automatic checkoff of their fees or a pre-deduction from their OHIP payments.

I suggest the government of the day, in espousing and picking up the philosophy it has that in a collective agreement—that is all the minister was having with the OMA; he was negotiating an agreement—all parties should be heard, would have the good grace to refer this matter to a committee. It does not have to be for very long, perhaps for one day or half a day, to allow these people who have not been heard to be heard.

I think that is a matter of justice and fairness. I would expect this government would do that and not require that we go to committee of the whole House where people are not allowed to come into this chamber and address us.

Mrs Caplan: In the last few minutes of this debate, I think it is important to note two quotes. One is from Dr Berger in the May 27 *Globe and Mail*. It says: "This is a generous arrangement for doctors in these economic times. At this time of recession, why do hospitals, nurses and patients have to suffer because the government has negotiated this agreement with the doctors?" The second quote is from the *Globe and Mail* of May 13 and states, "While the government says that fiscal management is at the heart of the deal with the doctors, taxpayers remain not convinced."

I believe, because of the generous nature of this agreement, that the doctors have overlooked the implications of Bill 135 and the effect it will have on their individual freedoms in this province. As I said earlier, it is my belief that while Bill 135 is in the interest of the Ontario Medical Association, it is not in the interest of the individual doctors in this province.

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Mr Arnott: I am very pleased to rise this afternoon to speak to Bill 135, An Act to provide for the Payment of Physicians' Dues and Other Amounts to the Ontario Medical Association.

As explained in the explanatory note: "The purpose of this bill is to make the payment of amounts for the Ontario Medical Association's dues and assessments compulsory for all practising physicians. The amounts are a debt that the association can enforce in court. The bill applies to dues and assessments due on and after the 26th day of June, 1991.

"Sections 5 and 6 provide, in certain circumstances, for the amounts to be deducted at the source of a physician's income and paid directly to the Ontario Medical Association. Section 5 provides for the deduction from a physician's Ontario health insurance plan accounts. Section 6 provides for

the deduction from physicians' compensation under an agreement between the Ontario Medical Association and the province or a provincially funded body."

In other words, the legislation makes the payment of amounts for the Ontario Medical Association's dues and assessments compulsory for all practising physicians. Interns and residents are excluded, and the OMA may waive payment for specific physicians if it decides collecting the dues would bring financial hardship to the physician.

The general manager of OHIP, Dr MacMillan, will collect OMA dues from the billings of fee-for-service physicians prior to January 1 each year and will pay the deducted amount to the OMA. Where applicable, other governances that compensate physicians will collect dues for the OMA. The OMA will have the right to use the courts to collect unpaid dues.

This bill is before the Legislature this afternoon for debate, and I must say, when I look at this bill, as I do others when I determine whether I can support the government's initiative on behalf of my constituents, I must look and see how it affects my constituents in Wellington county, as well as people across the province. That must be the litmus test in my mind. I must ask the question, "Does this bill in any way enhance the delivery of health care services which are available to my constituents, as well as the people across the province, or will it in fact detract from the delivery of health care services in our area?"

I fear that it does the latter. I do not see how this bill will in any way enhance the delivery of health care services to the people in my riding. In fact, I am quite sure that services will be lessened as a result of this initiative and other policies that are coming forward from this government at the present time.

I would like to take a few minutes now to very briefly bring to the attention of the House some of the specific concerns that are affecting my constituents, partly as a result of this bill, but partly as a result of some of the other initiatives that are coming forward from the government. In our riding, in Wellington county, we have three hospitals: Louise Marshall Hospital in Mount Forest, Palmerston and District Hospital in Palmerston and Groves Memorial Community Hospital in Fergus. Many of my constituents are also served by the hospitals in Guelph, Guelph General Hospital and St Joseph's Hospital.

We have considerable concerns about the way the government is proceeding in the area of health care. The Louise Marshall Hospital in Mount Forest—I was speaking to the Minister of Health about it this afternoon in requesting an opportunity for the administration and the board of that hospital to meet with the minister, and I certainly hope she will give consent to do that—is facing a very significant and difficult time with its budget. They have a unique circumstance there in that for many years a large Mennonite population in the area was using that hospital and was paying cash for services rendered. Now that has gone by the wayside as a result of some of the initiatives that have been taken recently and the Mennonites are not paying cash for service. It has resulted in a considerable loss of income to this hospital, in the order of over \$100,000, I

believe, and its result is serious strains on the budget of the hospital.

Palmerston and District Hospital is a very well-run hospital, as they all are in my area. They have had difficulty in recruiting a qualified physiotherapist. There just do not seem to be enough physiotherapists who are qualified. They have recruited across the province, across the world, and they cannot seem to find physiotherapists to look after the needs of that area.

The Groves Memorial Community Hospital in Fergus has been under stress lately because of government lack of funding.

In Guelph—I do not need to remind the member for Oriole; she will remember that situation quite well—there has been an effort for the last 20 years to try and bring forward a solution to the hospital redevelopment problems of Guelph. The former government appointed Mr William Blundell to look into the matter and to discuss the matter with the people of the area and come forward with a recommendation for hospital redevelopment. I understand that is nearing completion. It will be with the minister, I think within the next couple of months, if not sooner, and I certainly hope the minister will look favourably upon the recommendations that are brought forward at that time. We have waited a long time for hospital redevelopment.

We had a very bizarre situation during the election campaign. The Liberal candidate for Guelph had brought forward his own ideas for a solution to the hospital redevelopment issue. There were a number of different flip-flops with respect to the government's position, and we had the very bizarre situation whereby the sitting member for Guelph, who was running for re-election, in the midst of the campaign called for the resignation of his own Minister of Health, presently the member for Oriole. That was quite a considerable surprise to me as I was out on the election trail.

I would also draw attention to the fact that there is a need for a CAT scanner in Guelph. I know many of the other areas around the province are hoping to put together the necessary proposal for a CAT scanner, and I hope the minister will look favourably upon that when it is presented. It was unfortunate—

The Acting Speaker (Mr Farnan): Order. I know the member will relate his remarks to the bill before the House.

Mr Arnott: Yes, Mr Speaker, I am relating my remarks to Bill 135. I just want to talk once again about the significant, considerable needs in my riding that are not being met by this bill and frankly by policies like that.

I think at this point I would like to go into some of the concerns I have with respect to the agreement that was signed with the Ontario Medical Association and the government of Ontario. Of course, this bill is part and parcel of that particular agreement.

If we go back a few months, to last spring, April 12, a tentative deal was reached between the negotiating teams for the OMA and the government. It included a fairly significant fee-for-service rate increase. Of course, the doctors had been

very concerned that their fees had not increased for some time under the former government.

As part and parcel of that agreement, I assume there was a commitment made that this government would bring forward this particular bill, and the OMA was, I am sure, absolutely delighted that this bill was going to be coming forward, which would ensure that money would be flowing into its bank account for many years to come.

It is a six-year agreement, running from April 1, 1991, to March 31, 1997, and it also provides for binding arbitration to both parties if there is a dispute that cannot be settled.

The OMA, through this bill, is recognized as the sole representative of physicians in Ontario in negotiating and determining doctors' fees. I guess that gives me my greatest concern, because I do not believe that the OMA represents the interests of all physicians in this province. Indeed it was quite evident and clear when the fact was presented and we saw the vote the physicians took to determine whether they would accept this agreement. I believe 13% of them did not support the agreement that was negotiated because they believe the agreement did not adequately address their concerns.

A great many of those doctors, I would submit, are the highly skilled specialists we have in Ontario, a great many of them feeling that their work is not being adequately rewarded, that there is not enough opportunity in this province presently. That concerns me greatly, because, as I said, getting back specifically to this bill, when you see that doctors are leaving the province, in many cases they are the most highly skilled physicians we have who are leaving this province because of lack of opportunity. They are heading south. There have been a great many of them in the past few years.

The OMA does not negotiate for many doctors in this province, and that is why I think a lot of the physicians feel that the OMA does not necessarily represent their interests. If you are looking at industrial physicians who may work in industry or for insurance companies and collect a salary, the OMA does not negotiate their salary and will not negotiate their salary, in spite of this bill, as far as I know. Lab physicians are also salaried employees who do not work fee-for-service and therefore will not be represented by the OMA in terms of negotiating their salaries or their moneys that are given to them. We know there are a great many doctors employed at the Workers' Compensation Board to assess whether claims are legitimate. Those doctors do not make fees for service. They make a salary, generally speaking. There are a great many doctors employed by the Ministry of Health of Ontario and Canada and their money is not fees for service. They obtain a salary as well. Teaching doctors who are involved in research and teaching at our fine teaching hospitals, tertiary care centres, are not included. They will not be represented through this bill.

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I have given this a great deal of research, and I found that in the area of cranial-facial surgery, which is one of the highest subspecialties of plastic surgery, we have lost a great many of our best, most highly skilled surgeons in the

st couple of years. I cannot say why they left, because they can indicate that. But my concern is that many of them may have left because they felt there was a lack of opportunity in this province, and they felt that going elsewhere they would have more opportunities to utilize their skills in a better way.

Actually, the father of cranial-facial surgery, Dr. Monroe, left this province about five years ago. Another very well-known doctor in this field, Dr. Uldis Bite, left about one and a half years ago to go to the Mayo Clinic to the south, and Dr. Joe Gruss, who was in Toronto, left recently to go to the University of Washington in Seattle, because he felt there was more there for him, I assume. Dr. Hugh Bailey left for California.

These are some of the most highly skilled surgeons we had in the most highly trained subspecialty, cranial-facial surgery. We have lost them, and we have to give consideration to how we are going to replace these people.

I know that University Hospital in London has been trying for many months to recruit a qualified cranial-facial surgeon of the calibre that these people I mentioned were and are, and they have been unable to do so—the same with the University of Toronto, I understand.

It concerns me greatly that these people have felt they had to move south, for whatever reason, and that we in Ontario are not able to keep these most highly skilled surgeons here, and that comes right back to my own constituents. When my constituents require health care service, if there is something beyond what is offered locally, many of them end up coming to Toronto. My own mother spent many months in hospitals in Toronto. That is a reality we face in rural Ontario, because there is not the same sort of service available locally, so we end up coming to Toronto.

It concerns me greatly when we see that these people have not even stayed in Toronto because they felt it was not here for them. When people go to places like the Mayo Clinic and the University of Washington in Seattle, you know those are some of the best medical institutions in the world and you know that those doctors who have been recruited there are of very high calibre and quality or they could not have been recruited by those institutions.

I also understand that of the total number of plastic surgeons who are presently practising in Toronto, 20% to 25% are contemplating leaving or planning to leave or have left in the past few months.

Teaching surgeons are some of the ones that are most likely to leave because, again, there is not the opportunity here. If we look at that aspect, we can see things are not going to get better in the short term or the long term, when we understand that as many teaching surgeons as we need probably are not going to be staying.

This comes back to the issue of excellence once again. My concern is that this government does not seem to understand adequately the absolute need for pursuing excellence and rewarding excellence. I cannot recall a single initiative that has been taken by this government that is cognizant of that very important reality.

I have probably made all the points I would like to make this afternoon, but I am certainly very disappointed in this bill. I cannot support it. I will not be supporting it. I

hope the government will, in fact, respond to the request that was made earlier this afternoon by a number of different members, including my colleague the member for London North, to refer this bill not to the committee of the whole but to a standing committee of this Legislature, so we can have people coming forward who may feel that this bill is not in their best interests either and who may be able to give us some information that will help us as we work to respond to the health care needs of the province.

Mr J. Wilson: I thought the comments from my colleague the member for Wellington were excellent, and I want to take a minute and a half to commend him and to point out that it is surprising that the government is giving this sweetheart deal to the Ontario Medical Association. I said this in my remarks the other day. I will be supporting the bill for a number of other reasons, but many of my colleagues have grave concerns about this, and we are asking that the bill go to a standing committee of the Legislature. It will be interesting to see the OMA come forward and defend this deal it has struck with the government.

Just a few minutes ago, the Minister of Health was given a report by the investigators who were investigating the finances and structure of St Michael's Hospital. The investigators found that St Michael's debt as at March 31, 1991, was \$63 million and that St Michael's operating deficit for its fiscal year ended March 31, 1991, was \$16.6 million. That is big news, and that will be headline news tonight and tomorrow, I am sure.

It is a staggering amount of money for just one hospital to be in debt. It is a new fact, because yesterday when we were debating that hospitals were in debt some \$200 million across the province, we did not know the specifics on St Michael's, so the \$200 million figure has just been raised substantially.

This deal takes a great deal of money out of taxpayers' pockets. It is going to be a severe drain on taxpayers. The binding arbitration aspect is one that I know from past experience is going to be very costly. We look forward to the debate in standing committee and we hope the government will support us in our efforts to have the bill sent to the standing committee.

Mr Stockwell: I thought the member for Wellington's comments were both insightful and somewhat provocative. They are well-thought-out, in my opinion.

It is very interesting to see this government reacting to the debts owed from the 1990 election. We have seen systematically this government pay off its IOUs to organizations and to special interest groups and advocates. This and a few other bills appear to be the doctors' payoff for their support.

Today we heard the announcement by the Minister of Labour. Here is the union payoff announced today about how it is going to unionize and organize, and of course we know full well there is a double payoff there as well, because for everybody who organizes and forms a union, money automatically gets funnelled back through the system into the coffers of the NDP itself. The teachers as well have seen their payoff.

These are the kinds of things that I think set a very dangerous precedent. When we have governments being elected by advocates, by special interest groups and so on, they no longer think about the good of the people when they get involved, the good of everyone in the province. They think about their buddies who happen to be the union people. Teachers are paid off, the medical doctors, the medical profession, and it is very discouraging to sit on this side of the House and see it.

It is less than honourable in my opinion. It certainly sacrifices the benefits of many in this province for a select few. What is becoming more and more obvious is that if you happen to endorse this government through participation or financial help at election time, you can expect your payoff to come with legislation in the not too distant future.

Apparently, as the member for Wellington pointed out, this is the payoff to the doctors. It is a sad commentary.

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Mrs Caplan: I think it is important for me to clarify one matter, that what has been negotiated is substantially different than what originally had been requested by the Ontario Medical Association of the government some two years ago. The original request of the Ontario Medical Association was that any doctor who refused to pay dues to the Ontario Medical Association would lose his licence to practise in Ontario. That was the original closed-shop Rand formula requested by the Ontario Medical Association.

While I think the doctors of the province might consider this would be an improvement over what had originally been requested, this bill says doctors do not even have the right to challenge in court that the OMA automatically receives a deduction from what doctors are expecting to receive from the OHIP account according to their billing. I felt it should be on the record that what the Ontario Medical Association originally wanted to do, not only to their own members but to all doctors in this province, was to say that if they did not pay dues to the Ontario Medical Association, whether they were members or not, they would lose their licence to practise medicine in Ontario.

I think what was negotiated by this government was an improvement over that. That was totally unacceptable to me, both on behalf of the doctors and the government some two years ago. I believe the process in place which takes the money automatically from the doctors, while it is equally offensive to many doctors in this province, means at least none of them will lose their licence to practise because they refuse to send their dues to the Ontario Medical Association.

Mr Turnbull: I want to compliment my colleague the member for Wellington. I would like to add a few points. We are forcing doctors into unions. For the first time the OMA becomes the official union and they must belong to it. A lot of specialists do not want to belong to a trade union and it is unprecedented that the government should be gathering trade union dues. Is this an indication of what is going to happen in the future, after they have all their legislation to make sure everybody is unionized, that they are going to collect the dues for them? Further, are they

going to give a fee to the government for collecting the union dues for them, or is this going to be free of charge?

Interjections.

The Acting Speaker: Order. Will the member take his seat. This kind of interjection is unacceptable. It is unacceptable from the Solicitor General. It is unacceptable from other members of the government benches. The member must be given the floor.

Mr Turnbull: It apparently is a sore spot with the government when we talk about forcing people to be members of a union, and that is what our party is against. We have seen it today with the proposed legislation. They want to bring in labour legislation and make it easier to join unions. In fact, it is not just making it easier to join unions; it is forcing people into unions and we are on a slippery slope in this province when we do that.

The idea of collecting union dues on behalf of somebody through the government is absolutely incredible. Is the government going to be reimbursed for that? Is the government going to start collecting union dues for any union it has anything to do with?

The Acting Speaker: The member for Wellington may wish to use up the two minutes to respond to comments and questions.

Mr Arnott: I am disappointed my colleague did not have an opportunity to speak to this, but I want to thank my colleagues in my caucus for their compliments. I appreciate that.

Another issue that has to be reaffirmed at this point is the issue of government accessibility. When we talk about forcing this bill to a standing committee of the Legislature—I should not say forcing it perhaps, but referring it so as to give one day of opportunity for some of the physicians or anyone who is interested, as my colleague the member for Simcoe West indicated. The OMA, I am sure, would be interested in putting its position on this matter. I certainly hope the government will allow that to happen.

Second, on the issue of accessibility, I know the Minister of Health is very busy looking after her responsibilities as best she can, but I also know that I have a hospital in my riding seeking a meeting with the minister. As I indicated earlier, I am advocating on its behalf to get through the door to see the minister and we hope that will come about very soon.

Mr Callahan: On a point of order, Mr Speaker: There is not a quorum in the House on this very important issue and I ask that it be checked.

The Acting Speaker ordered the bells rung.

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Mr Arnott: I would like to reiterate my hope and my feeling that the government should allow this bill to go to a standing committee of this Legislature so we can put forward our views, the concerns out there that may have remained unaddressed. I certainly hope the government will assent to that this afternoon. I have said about as much on this bill as I intend to this afternoon and I thank members.

Mr Cousens: Just this last week we saw the importance a doctor can play in providing the kind of service

at really touches the needs of people. When we saw the dedication of Wilma DeGroot in the accident in Canada's northland, we began to see the kinds of skills that were there. The other evening when I saw her interviewed on CBC, I began to have a great sense of pride not only for the people who serve in Canada's armed forces, but in particular for this young person, 25 or 26 years of age, recently graduated from Queen's University, now doing a three-year stint with the armed forces.

There she was in this Hercules airplane caught in the north. When it was broken up and on the ground, there was a person ready to serve and look after the people who were injured; marvellous dedication, which to me embodies so much of what the medical profession is all about.

So often, when we come into this House to examine one of these dry bills that has been prepared by the ministry, we somehow lose the touch of the humanity that is so very much a part of what it is all about. We are dealing with the people who make the system work.

Wilma DeGroot, as a physician, is there, and seeing her interviewed the other evening, as one dedicated to serving her fellow human beings, at personal risk and doing those right things, first of all, she had the compassion, but beyond that, she had the training. She did not have the equipment. When they were in that situation in the northland, they did not have all that was needed to help the wounds and the burns, and certainly nothing to handle the terrible cold. None the less she was there, committed to serving her fellow passengers in that flight of death.

That illustrates to me something that is not all that uncommon. What is uncommon is that we as a society fail so often to pause and reflect about what she did and what doctors are doing just around the corner right now in the hospital for Sick Children, the Toronto General Hospital, the Women's College Hospital, Mount Sinai Hospital, the St. Elizabeth's Hospital: serving those people who are part and parcel of the community of Ontario. When a person goes through for medicine and becomes someone who is given that special licence to treat people and care for them after many years of service and training, he or she has a chance to go out and participate in society and hopefully help make it a healthier place for people.

In commenting on Bill 135, I want to start by complimenting the medical profession. We start with doctors, and there is not one of us who does not have at least one doctor. As you get older, I suppose you end up having more and more to look after your different needs and problems. We have the great fortune also in Ontario that if we are not satisfied with the kind of treatment and care we receive, we can select another doctor. We are not required to stay in that one physician's care. We have the freedom to choose the kind of medical service we want to have. I believe so much of it begins with the physician and the care he or she is able to give us.

1990

I am concerned about the long-term impact that will affect the care and treatment we receive because of the implications this bill will have on the medical profession. I believe genuinely that there will be more Wilma DeGroots who will go through for medicine. When young people

come into the medical profession, they do it out of the idealism of medicine, what it is to put on that gown, take those instruments and learn all the intricacies of their profession in order to become the very best.

It is a profession that has been under attack for quite a number of years, ever since 1986, when the doctors lined up out here on Queen's Park Crescent. It was probably one of the largest turnouts I have ever seen. The profession represented itself very well, saying at that time it was opposed to extra-billing. They formed a tremendous body of people and came out here because they saw their profession under attack.

The extra-billing issue has been put aside for a while and we are now in a position where people in the medical profession are virtually civil servants. The compensation they receive for the job they do, the performance of looking after people, is something where they are reimbursed through OHIP. It is largely that way.

There are some doctors who are probably still extra-billing. I have heard of instances where some doctors at least have extra charges for services that are not so perfectly defined by the province in its billing statements. So doctors will charge for phoned-in prescriptions, for sending a medical examination to another doctor or sending a file to another doctor. There are certain services they will charge for on top of the OHIP schedule. I think that is unfortunate, but they are probably very selective about whom they charge. Some people obviously do not have the funds to pay for some of these extra services. I think the intent of our medical system is that everybody has free health care. My only point here is that there is a small percentage of doctors I have heard of who are going outside that box and charging for services.

That is not the real issue. The real issue comes down to the medical profession having one of the most important responsibilities, as do all the professions, but theirs is to care for our physical, emotional and psychological needs. There are so many ways in which the medical profession can do that.

Having an understanding then of their intention to go into the profession and why they are there, it is rather a hurtful experience to talk to so many doctors over the last five years, since the extra-billing debacle, and find they are still hurt to such a degree that now they do not have the sense of freedom of being independent business people having a sense of total responsibility over the running of their business or their office and seeing their office and the delivery of a health care services as also being a business. There is a sense in which they feel enslaved to the system, to the guidelines of the Ontario Ministry of Health, under which they fall. The billing and that part of their business which was previously an entrepreneurial type of thing now is all defined. Everything is delineated and defined by the government under OHIP.

We are now in a position where we are saying: "Not only are you totally controlled by the Ontario government, now, through the government, we're also going to collect your fees for the Ontario Medical Association. In fact, what it really comes to is that you're becoming more and more like a union member."

I was listening to the member for York Mills, and his comments following up the member for Wellington really touched the heart of that problem: how tragic that physicians and surgeons and doctors are all falling now into that category of being part of the unions in Ontario.

We saw today new legislation that is coming forward. It will come because of the majority of the New Democrats. They are going to be able to force through heinous legislation that will set back Ontario many years. When Europe is going the other way and opening up and moving to democracy, we in this socialist state of Ontario are moving into a totally other kind of restrictive, controlled, legislated, regulated environment where the independent freedom of individuals is being taken away and the government is going to have that master control over it. The problem we have is that the doctors now will fall more and more into that category, and that is part of the tragedy of the new Ontario. The rest of the world seems to be moving into another stream as Ontario moves into the socialist stream.

I know British Columbia is gone, Saskatchewan is gone, Yukon has gone socialist, and who knows what is going to happen in the next federal election. There is a real sense that this country seems to want socialism, but I do not think it wants it as badly as these guys who are running the government of Ontario.

One of my purposes here as a member of the opposition is to try to at least remind the government and the governing party that what it is doing does not have unanimous support. If they come through with some policy that I like, I am going to tell them, and there have been a few; I would have a hard time thinking of them right now. But I want them to know that if they are going to continue to push Ontario back into the Middle Ages and into a socialist regime that others are trying to get out of, then we are going to do everything we can to remind them of another approach.

Mr Mills: You want us to collect tax on commission. That's the Roman days.

The Acting Speaker (Mr Villeneuve): Order, please. Interjections are out of order. The honourable member should just address the Chair.

Mr Cousens: I think the member is just saying what the doctors make does not matter a tinker's to him. He wants to see them suffer as much as possible. I would say that is not where we are coming from on this whole issue. That is absolutely the wrong direction.

What I see happening here is that as you look back to it, the cost of health care in Ontario is in excess of \$5 billion, just allocated for OHIP payments in this fiscal year 1991-92. That is an awful lot of money. Then we also realize that doctors have not had a fee increase since 1989. So what we are now dealing with is, how do we deal with future negotiations with doctors?

The problem we have is that the doctors' positions are now going to be handled far more as a union-type negotiation. The OMA will become the speaking body for the doctors and the issues as presented by the OMA will be dealt with through a government body. Then if there is a

breakdown in negotiations, that breakdown will mean they can go to a third party to have an arbitrated settlement.

When you start thinking about giving that kind of power to a group outside the Legislature, outside the control and power of the elected officials of Ontario, through an act that we will be passing here in this House shortly, it really means that we are giving away our sense of responsibility for how the money is going to be spent.

I went through a number of negotiations in my life when I was on the school board, and I think one of the hardest things for the negotiating sides is to give up their negotiating rights to a third party to resolve it. Third-party arbitration is always one of the most difficult things, because if you cannot work it through yourselves, it just becomes a horrible moment. Negotiations are the best way of having it, but what will happen is that when the doctors have a breakdown in the negotiation procedures between themselves and the province of Ontario, there will be a third-party arbitration board that begins to solve those problems.

1710

That should not be the case. Those problems should be addressed here in the House by all members. When you are dealing with the kinds of dollars I am referring to—you are talking of in excess of \$5 billion when dealing with OHIP billings—those kinds of dollars really should not be, and to the Liberals' credit were not allowed to be put off to some other party to decide. This group is going to move in a direction that allows some arbitrary third-party group to pass these things.

We are moving, in a way, towards socialism. If the people of Ontario only knew what they were doing on September 6, 1990, in electing the Premier and the socialist horde to Queen's Park, they might have had second thoughts as to how much they disliked Mr Peterson, or maybe they would have given a second look at the member for Nipissing to see what the Taxfighter would do for Ontario.

But the die was cast, and since that die was cast, we in Ontario, at least in the Legislature, now have to put up with the kind of legislation we are dealing with today: legislation that is not that well thought out, that is giving more and more power to an independent group, that is making one of the most important professional bodies in Ontario just like another union, not by name, but by act, by deed, by appearances, by virtue of saying, "The province will now collect your fees for the OMA."

What about those doctors in Ontario who do not want to be members of that? I have been led to believe there are some 3,000 doctors who are presently not members of the OMA. Are we now going to make it compulsory that they be members of the Ontario Medical Association? Is that what we are requiring, I ask the member for Durham Centre?

Mr White: No.

Mr Cousens: No? Well, what are we doing then? He does not know. That is part of the problem. The government backbenchers do not know what this legislation really means. That is what concerns me.

Mr White: Make them pay their dues.

Mr Cousens: He maybe has an answer now.

The Acting Speaker: Please address your comments to the Chair.

Mr Cousens: It was a test question and they failed, Mr Speaker.

The Acting Speaker: The honourable member from the government side will have the opportunity, when you have completed your remarks, to participate.

Mr Cousens: I just do not think they understand how serious it is for those doctors who are not members of the AMA to now be required by Bill 135 to have all their fees gathered and collected and submitted through the Ontario government plan. If you have ever seen something that has the earmarks of Big Brother and control over a profession, you are starting to see it. You can make a lot of points on that I am trying to do. In fact, in reading through Hansard, I have seen some of the best speeches by members of our caucus that I have seen in a long time.

In her comments the other day, the member for Mississauga South—her husband is a dentist and I think she has been close to the medical profession for a long time—had some of the most astute statements to make with regard to this bill. The comments yesterday by the member for Leeds-Grenville pointing out the ramifications of the bill also brought up an awful lot of background.

I noticed the Liberals coming out of their shell a little bit through the discussions on this bill, trying to find some rationale for at least disagreeing with the socialists for once. But I commend the members of our caucus for the way in which they have come forward and had very strong points to make with regard to it.

What can we do? I feel extremely frustrated as a member of the Legislature, because the only thing I am able to do is to stand up and argue the case and say—maybe I am taking too long to say it—

Interjections.

Mr Cousens: They all agree that I have taken too long to say it, but we are continuing to put down professions one at a time. For us now to be in the terrible position of boxing in the medical profession—the government is just beginning to put the bow on it with this kind of bill. I feel that is a tragedy that is not deserved by those people who are such an integral part of our health care system.

There are so many other things this government could be doing in dealing with health care, but it has not begun to address them. If only it could begin to make sure the quality was there throughout the system. If only it could begin to make sure that those people who are abusing the system right now could be stopped. If only there were ways in which we could have professional laypeople getting involved in the health care system to see where more economies could be found.

I stand here in this House as one who continues to read about doctors who are moving to other jurisdictions because they have given up on practising here in Canada. I had an article by another doctor who blames the health care system for driving him out. This is just another one who has decided he is not going to stay in Canada; he is going to move on to the United States.

We are developing them here. We bring them through our educational system, train them and help them become the very best professionals they could possibly be, and then we have a system installed under Queen's Park that discourages them and sends them off to the States or Europe or some other place. I do not mind seeing us do our share to help Third World countries, but I do not want to see us drive the profession away from our own country unnecessarily. Let's begin to do something about it.

I am grateful for the attention that has been given to this. I have a number of other points to make, but I understand there are a sufficient number of people who would like to see this bill voted on. I can assure members that I will be voting against it. It sounds innocuous as it is, but it is not. It is a bill that begins a further step of erosion of a profession that I value too highly to see put down the way this is doing. The dippers in Ontario will win this bill, but I hope that through the public dialogue in committee and through other processes, we can at least get the people to understand that we care deeply about our health care profession and the delivery of health care in Ontario, and we are not just going to let them destroy it.

Hon Mr Philip: Listening to the honourable member for Markham—whom I have been, I think I can honestly say, a friend of for a number of years—one has to ask whether or not he has read the bill. Clearly there is nothing in this legislation that requires anyone—any doctor, any physician—to be a member of the Ontario Medical Association.

What it does is what other organizations do that have collective bargaining rights; namely, that you have to pay for a service you are getting. Surely that makes sense. Why should someone get a free ride when others are paying? It does allow for that payment, under what would be a traditional Rand system, under section 3. But under section 4 it also allows the board of directors of the Ontario Medical Association to waive that fee if there is a particular problem with a physician, if there is an illness or an economic problem with the physician. It would allow, for example, a physician who was involved in missionary work or other types of work where he or she was not receiving remuneration to have that fee waived.

Surely it makes sense, when 87% of the physicians in Ontario have voted for a system that they think will work, to listen to the physicians of Ontario. That is what this government has done and that is reflected in this. There may be some people who do not want to be members of the Ontario Medical Association for a variety of reasons. Some are on the left of the Ontario Medical Association and some are on the right, but I think that if you asked a lot of those people, they would still say: "We don't want a free ride. We accept that this is the body that at the present point in time does represent a majority of the doctors in Ontario. It is acting on behalf of a majority of doctors in Ontario, and therefore we should pay for that." They may not want to belong for various reasons, but this bill does not force them to join.

Mr Cousens: I appreciate the remarks of the member for Etobicoke-Rexdale. I do not agree with them. I think

what has happened is they are going to pay the bill but they do not have any rights under the OMA. The government now is taking special control over the OMA by collecting fees. It now puts the OMA into a special category. It puts all doctors into a closer relationship with the government than ever before.

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Mr Stockwell: Whether they want to be or not; no more freedoms.

Mr Cousens: Whether they want to be or not, they are now forced into a new relationship with their association and with the government. I have to say I do not support that philosophy. I think the honourable Minister of Transportation believes very much what he is saying. I would say that is part of the philosophy where you put everybody into a box and then you have them that way. I go more for freedom of people to believe and do what they want to do. The OMA does negotiate but there may be other groups within the OMA that believe different things and that can fight for them.

Mr Tilson: It is called freedom of choice.

Mr Cousens: Yes, it is called freedom of choice. It is not the kind of forced existence that this government is bringing forward in this country now. There are enough doctors out there who need to have someone to defend them. I think they will all be defended if we come along and take away the controls and regimentation this government is trying to put around them. They should let them have some of the freedoms again and also come back and bring in other factors that are going to make sure we have quality in our hospitals. We have quality in our doctors, but the whole system needs to have a real strong review. Somehow or other it is not working right now. I have more complaints from people than ever before about a carefree attitude.

It starts with the doctors somehow becoming jaundiced. They are losing something of that idealism they started with when they started out in the profession. Let's go back to some of the things that made this province great and made the health care profession great. This is not the kind of thing that adds to strength.

Mr Wessenger: I am very pleased to make what I hope are some concluding remarks with respect to second reading of this legislation. First, I would like to comment with respect to the matter on the compulsory payment of dues. This legislation is not unique in Canada. Already there is the compulsory payment of dues in Nova Scotia, Quebec, Newfoundland and New Brunswick, and formerly Manitoba had legislation to this effect. I do not think this particular legislation is what is so significant for debate. I think it is the whole question of the agreement between the government of Ontario and the Ontario Medical Association.

I would agree with the member for Renfrew North who said this agreement was of great significance. I think it is of great significance because it is the first time in Canada we have ever had the medical profession agreeing to maintain the principles of medicare, including universality and accessibility. I think that is a great advance. It is a great compliment to our medical profession that they have come

out in full support of our universal and accessible medicare system.

Second, I think it is also of significance in the whole question of controlling health care costs in this province. I think we all recognize the health care budget has been escalating and taking a greater percentage of the provincial budget. It has now gone up to approximately one third of the total budget. I think all members surely recognize the need to control the extent of the health care budget. We certainly do not want to go the way of the American situation where it has gone to an extent of 12% of the budget and leaves 37 million people unprotected, a very unsatisfactory and highly expensive inefficient system.

What this agreement does with its joint management committee is attempt to address some of the major problems with respect to the cost of health care. It recognizes in this whole question of controlling the cost of health care that the medical profession plays the key role. We have to recognize that the medical profession is the key player in this. They have agreed to co-operate with the government of Ontario in trying to bring the cost of medical care into control in order to have a more efficient system and more value in the system.

The joint management committee is going to look at such things as what areas appropriately should or should not be insured under our system. They are taking action with respect to the whole problem of utilization, that is, the increase in the number of physicians in the province which is putting increased strain on our costs, and also the degree of utilization we have had per physician, which has been increasing dramatically. We brought measures in the agreement to try to cap that increase.

Also, if we look at the role physicians play in health care, our drug benefit program is almost out of control with a 15% to 18% increase in costs over a year. Again the medical profession plays a key role in the question of drug costs.

We should look at the whole question of lab tests running at an increase of 20% a year. Again the medical profession is a key player in keeping these costs under control.

Then we look at the whole question of hospital costs which have been going up and escalating. We have the highest level in Canada with respect to hospital utilization. Who controls hospital admission and who controls the length of stay in hospitals but the medical profession?

If we want to control the costs of medical care in this province, we have to work in co-operation with the medical profession. I am very pleased we are the first government that has signed an agreement to work in co-operation with them. I know we can improve our medicare system because of that.

With respect to the question of arbitration, we believe as a government in collective bargaining. When collective bargaining does not work, you can have an unsatisfactory situation occur in an area of the health field such as the provision of medical services by physicians, such as a strike. I think a strike is unacceptable as a method of determining the matter of compensation for physician

arbitration was the model recommended by Mr Justice Gauthier and it is the model we have accepted.

I might add that in the agreement there are guidelines with respect to arbitration. The guidelines include that the compensation has to be in light of prevailing economic conditions in the province and the overall state of the provincial economy. They also include cost changes in the actual cost of practice for the physician, the level of physician payments and methods of payments in other Canadian provinces, the growth or decline in real per capita income and the Ontario cost-of-living increase.

With those restrictions I have confidence the arbitration system will work reasonably, being fair both to the province of Ontario and to the medical profession. I would therefore urge members to support this legislation as being a key part of this agreement.

Mrs Caplan: In his summation, the parliamentary assistant stressed the fiscal levers the government is using. He talked about what they are going to ensure, what they are not going to ensure, and he talked about income caps, all of which are part of this legislation.

I want to say to him at this point in time that I believe we can afford in this province to give the people of Ontario the care they really need. I think we can afford accessible, appropriate care. I do not believe we have a problem that is related only to cost. I do believe we have a problem with the level of inappropriate care and the number of things that are being done in this province which are completely unnecessary or wasteful. That is considered inappropriate care. I have not seen any initiative taken by the government in this agreement or in this piece of legislation which would address that issue.

I am very concerned that the message the government is sending out to people is that the problems within the health care system have to do with affordability. It is my view that we can afford to give people in this province the care that is going to improve their health and that will make them well when they are sick, in an effective and appropriate way.

I want to say to the parliamentary assistant that I find it distressing in the extreme his focus on the fiscal levers, his focus simply on affordability, his focus which removes from health policy the desire to improve appropriate care and to improve the quality and to say to the people of this province that the government is going to commit itself to ensuring that people who are sick and who are in need of care will get the care they need.

I repeat again that we can afford in this province for people to have high-quality, appropriate care when they are sick.

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Mrs Marland: The irony in the comments of the parliamentary assistant is the fact that this piece of legislation has nothing to do with guaranteeing any level of health care to the patients in this province. All this legislation does, as I have said on two previous days this week, is to unionize doctors. What will that do either to solve the high cost of health care in this province or to give any assurance that when people are sick, we will have dedi-

cated, committed physicians who are still here with all their qualifications to treat those sick people?

What this bill does is insult the medical profession in this province. This bill that makes doctors union members—no matter what other words you want to use, that is what it does—does nothing to deal with the problems that are associated with major health care deficiencies in this province.

This bill will not bring back one single bed that has been closed in this province in the last five years. It will not do anything to ensure jobs for nurses who are now out of work because this government is cutting back on the funding to hospitals and hospitals are having to close beds. All this bill does is further alienate the professionals on whom we are dependent for the provision of health care. It is a further focus on saying, "Let's blame the doctors for the health care costs in this province," which is not the case.

Mr Callahan: I had not intended to join in this debate again, except that the comments by the member for Mississauga South struck a chord.

The Acting Speaker: I want to remind the honourable member that we are commenting on the member for Simcoe Centre's comments.

Mr Callahan: The member for Mississauga South indicated that the member for Simcoe Centre had indicated this does great things for the health care system, but the thing that really struck me was when she indicated that this was in fact unionizing the doctors.

I guess the question I have to ask is—and I am not going to use the full two minutes—what will be the follow-up on this, recognizing that the Minister of Labour, within his package of proposed amendments, I believe, has a provision whereby if there is a strike, the business cannot carry on? Does this mean that if the doctors struck, if in fact this does create a union, hospitals would not be able to carry on, that they would be left to close? I really do not know the answer to that. I guess maybe the parliamentary assistant is the one who would have to reply to it, but it certainly smacks unfavourably and I think is something that should have been considered.

The final thing is that I understand people do not necessarily have to belong to the association but they have to pay their dues, so they get all of the obligations but none of the benefits. If in fact their dues are taken from them, they do not get the right to the pension benefits that are available through the OMA. What is happening is that they are paying and getting nothing in return for it.

The Acting Speaker: We can accommodate one more participant in questions or comments. Seeing none, the honourable parliamentary assistant, the member for Simcoe Centre.

Mr Wessinger: I have nothing further to say.

The Acting Speaker: Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Pursuant to standing order 27(g), I request that the vote on the motion by the Honourable Frances Lankin for second reading of Bill 135, An Act to provide for the Payment of Physicians' Dues and Other Amounts to the Ontario Medical Association, be deferred until immediately following routine proceedings on Monday, November 18, 1991.

Mr Cousens: On a point of order, Mr Speaker: I would think that what has just happened here is that the voice vote could easily carry. If you were to ask for the vote again on that bill, it might just carry this time and a deferral may not be required.

The Acting Speaker: Thank you. Do we have unanimous consent that we carry on this vote again?

Agreed to.

The Acting Speaker: All those in favour, please say "aye."

All those opposed, please say "nay"

In my opinion, the ayes have it.

Motion agreed to.

La motion est adoptée.

Bill ordered for standing committee on social development.

Le projet de loi est déferé au comité permanent des affaires sociales.

FIRE MARSHALS AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT LA LOI SUR LES COMMISSAIRES DES INCENDIES

Resuming the adjourned debate on the motion for second reading of Bill 131, An Act to amend the Fire Marshals Act.

Suite du débat ajourné sur la motion visant la deuxième lecture du projet de loi 131, Loi modifiant la Loi sur les commissaires des incendies.

The Acting Speaker: When we last debated this bill, the honourable member for Leeds-Grenville had the floor. I do not see the honourable member present. Are there any other members wishing to participate?

Mr Callahan: I will be relatively brief, and I can hear of a sigh of relief from members, but this is really a piece of legislation that once again was a Liberal government initiative, and once again is in the same vein as the discussions yesterday and probably for days past, when numerous bills have been brought forward by this government that were in fact bills that were instituted by the Liberal government. I guess what they are trying to do is to clear the decks of legislation that was well thought out and was sensitive and was going to address the needs of the people of the province, and for that I commend them. That is showing good judgement.

However, having said that, we recognize that our fire departments are made up, as we all know, of components of those who are full-time, those who are volunteers and those in municipalities where it is part volunteer and part full-time. We figure that we have 34 full-time departments that are staffed entirely by salaried firefighters, 100 composite departments that consist of a contingent of salaried

firefighters as well as a number of volunteer firefighters and that we have 522 volunteer departments staffed entirely by volunteer firefighters.

I think it is important that the Solicitor General would have brought forward, or at least revealed to the House in a statement, many of the things that were decided by a consensus body put together by the Liberal government, a group of people from various backgrounds similar to the body that was put together to discuss the question of police reform prior to the police bill being brought in. It was really an innovative way of getting various groups to sit down and try to come up with at least a minimum amount of consensus and report back to the minister.

1740

The former minister, the member for Cambridge, in a speech to the Ontario Association of Fire Chiefs at their 39th annual conference, refers to this report and says he expects that he will be able to do something before the end of the year. We are not seeing anything from the present Solicitor General. In fairness, he did take over sort of in mid-stream, but one would think the importance of fire fighting in this province, the importance of a number of things that were discussed by this consultative body, would have been addressed well before this.

We are approaching the end of this sitting. We are approaching the end of the year. Still we see nothing before this Legislature in terms of some of the very important issues, ie, the question of training of volunteers and ensuring that training takes place as close as possible to home since it was agreed that we did not want to inconvenience these people who serve Ontario so faithfully by requiring them to go to locations that might involve a good deal of travel.

We have heard nothing about that. We have a very excellent report by Justice John Webber, who happens to be the chief judge of the courthouse in my jurisdiction which was rendered in 1981. It was in the matter of high rise fires and it arose out of a very tragic fire just shortly before that. There were some very excellent recommendations made in that report and we have not seen anything brought forward by the Solicitor General who is responsible for this piece of legislation.

As I said at the outset, we will be supporting the amendments per se because they are really relatively minor. In a sense they could be considered to be housekeeping, although there are some, particularly dealing with hazardous waste, that are of some importance. The fact is that there has not been anything else brought forward by this government, other than legislation that was already on the books or was to be brought forward by the previous Liberal government before the election.

I have to wonder, is this indicative of what is happening with the government of the day? Has it no new ideas of its own? Are they not moving ahead on initiatives either of their own or good initiatives that were instituted by the previous government? Are they bankrupt of ideas? Are they simply going to make statements in the House that scare the living daylights out of the residents of Ontario such as the document dealing with the proposed labour

atters, or are they moving ahead and are they good managers of this province?

I suggest this is another indication that there is no rudder. There is no rudder. The sails have been taken down and the ship of state is now moving in an erratic fashion hither and yon and there is no one at the helm. We have not seen the captain in here for days. The captain of the Good Ship Lollipop has not been in the Legislature for four or five days, and he is the captain of the ship.

I have grave concern, as do many of the members in opposition and third parties. I think there probably are some people in the government who are sort of scratching their heads and saying: "This is not getting on with what we ran for and what we got elected for." They are not getting on with the agenda we thought they would have, the Agenda for People.

Each time a bill is brought in that was thought out by the previous government, where not one letter or period or comma has been taken out, identical to what was brought forward by the previous Liberal government, one has to wonder what is going on in the minds of people in the government. These good people ran for office anticipating that a lot of good things would be done, that they would be able to get these good things done for the constituents in their ridings. Yet day after day we see this type of legislation brought forward that is not their legislation. What they have done is to reintroduce the same bill—hopefully they have photostated it to save expense to the taxpayers of this province—put the name of a minister of the present government on it and claimed ownership of it.

The other day, the third party critic for the Ministry of the Attorney General was talking about two or three bills that were brought in by the Attorney General which were really bills that had been introduced by the former Attorney General, again hopefully photostated with the new Attorney General's name put on them. I think anyone who is an ardent follower of this Legislature has to take it as déjà vu. If they really followed it closely and saw these bills being introduced by the former Liberal government, they could realize that exactly the same bills are being introduced, albeit 14 months later, by this government that is supposed to be managing and steering the ship of state.

I have to say it does not give me a serious feeling of comfort when I go to bed at night, knowing all we are really getting over there is recycled material. That is interesting, because we have heard nothing from the Minister of the Environment about the plan she is going to use to solve the problem of waste management in this province. We heard her in opposition. She was ferocious. She has not done one thing. The garbage just continues to mount.

What really concerns me is that if they are not photostating these bills that were formerly introduced by the Liberal government and putting the name of the new minister on them, that means they are throwing them away. If they are throwing them away, that means the Minister of the Environment had better get moving very quickly, because the amount of garbage that is now coming to the fore is even greater. That gives me concern.

The question of the fire department is as important as the police department. These are people who risk their

lives to protect the citizens of this province, just as our police force does. By reason of a consensus committee that went out and came back with recommendations for the minister, we were able to put together a Police Act which, as I recall, was supported to a large degree by many members of the House. It was a matter that had actually achieved a purpose and brought together people who perhaps had divergent opinions at the outset but were able to come together in a way that allowed the bill to be put forward. I would like to see the same thing with the fire department.

As I said, the former Solicitor General in the Liberal government did in fact put together just that type of consultative body. We have not heard from the present Solicitor General yet as to what the results of that consultative process were. One would think that if they were ones that he was going to implement, he would stand up in the House in a very proud fashion and deliver a ministerial statement telling us that so we could then get on to the next step of putting together a bill similar to the police bill, a comprehensive bill that would ensure that the fire protection in this province is second to none. As the changes take place, particularly in cities such as Toronto with high-rises going up every day, we would be able to combat a fire and have all the tools to do that. But we do not see that.

I urge the Solicitor General to put our bill forward, because that is important and because he considers it to be a good bill, but at the same time, on behalf of my constituents and on behalf of all the constituents of the members of this assembly, to please get moving with the report, or tell us what the results of the consultative committee were. They should please get legislation in place, even if it is only introduced in first reading, so that we can look at it and the citizens of this province will recognize that they put a high priority on the question of fire protection in this province. I urge them to do that.

I understand that one other of my colleagues would like to speak on this and I will yield to her. As I say, we will be supporting this bill, but I felt it was necessary to make those comments. I tried to be evenhanded. I suppose I was a bit pejorative in the first part of it, but I meant it in a very positive way, that it is important to get on with this business and to demonstrate to the people of Ontario that in fact the ship of state is not rudderless. If it is rudderless, we have a problem.

1750

Mrs Marland: In rising to speak to Bill 131, An Act to amend the Fire Marshals Act, I actually want to commend the government for this piece of legislation. I only wish similar legislation had been in place at the time of the Hagersville tire fire, for example, because there was a situation that the community and the local fire departments had been concerned about for a number of years. In fact, there had been court orders to the owner of that tire dump at Hagersville to make his operations safe.

The Ministry of the Environment had been in and the fire departments had been in and the owner had been ordered to establish what they call fire lanes. In other words, instead of having one huge pile of tires, he was to separate

them and have lane widths in between these piles of tires that were wide enough for a firefighting vehicle, if necessary, to have access, and if there should be a fire started, there would be at least some space so the fire would not necessarily leap from one pile of tires to another.

In that particular case it was such a tragedy because it was not something the fire departments were not concerned about. As I say, they were so concerned that they required the owner to comply with their direction. They then took him to court to have the order issued. Then the owner simply appealed the court order.

In the meantime, those tires at Hagersville just continued to pile in the way the owner permitted them to be piled. As a result, of course, the next thing that happened we all are aware of and is now history. It was a tremendous risk to the environment, yet with the existing legislation at that time, the government and other agencies were powerless to prevent it.

If you have someone who is irresponsible in the operation of a plant or any facility that may be a fire risk and you know what precautions and what steps need to be taken to remedy that risk and hopefully to eliminate that risk, until this piece of legislation, there has been no power for the Fire Code Commission to authorize any other steps.

With this bill, the Fire Code Commission can authorize the fire marshal or an officer of the fire marshal to take whatever action is required, even if there is a court order that is under appeal and even if the owner of the property or the operation or the factory or whatever the facility is that is involved says: "I don't have any money. I can't afford trucks to come in and, in this case, create fire lanes between the piles of tires."

Fortunately now with this legislation, under subsection 18a(4), "The Fire Code Commission may authorize the fire marshal or an officer to cause to be done any thing required to be done by an order made under" some other subsections. In particular the one we are happy to see in this piece of legislation is clause 18a(4)(b), which says, "in the commission's opinion, failure to do the thing would seriously endanger the health or safety of any person or the quality of the natural environment for any use that can be made of it."

Under subsection 18b(1), "If a justice of the peace is satisfied on evidence under oath that there is reasonable ground to believe that entry on certain land or premises is

necessary for the purpose of doing a thing authorized to be done under section 18a,"—the section I just read—"the justice of the peace may issue a warrant authorizing the person named in the warrant to enter and do the thing on the land or premises."

We congratulate the government for this bill and know that the provisions contained herein will eliminate some of the risks and some of the actual fire events that have happened in the past.

The Acting Speaker: Does the Solicitor General have some summation remarks?

Hon Mr Pilkey: No, I believe the vote could be called on second reading.

Motion agreed to.

La motion est adoptée.

Third reading also agreed to on motion.

La motion de troisième lecture est également adoptée.

BUSINESS OF THE HOUSE

Hon Mr Cooke: Pursuant to standing order 53, I would like to indicate the business of the House for the week following the constituency week.

On Monday, November 18, we will consider second reading of Bill 73, the John Graves Simcoe Memorial Foundation Repeal Act, and third reading of Bill 75, the Law Society Amendment Act, and Bill 76, the Fraudulent Debtors Arrest Repeal Act. We will give committee of the whole consideration of Bill 42, the Arbitration Act; consider second reading of Bill 146, An Act to amend the Courts of Justice Act, Bill 28, the Class Proceedings Act and Bill 29, the Law Society Amendment Act.

On Tuesday, November 19, and Wednesday, November 20, we will give second reading consideration to Bill 143, An Act respecting the Management of Waste in the Greater Toronto Area and to amend the Environmental Protection Act.

On Thursday, November 21, in the morning we will deal with private members' business: ballot item 45 standing in the name of the member for Mississauga South and ballot item 46 standing in the name of the member for Wentworth East. In the afternoon we will deal with third reading of Bill 115, the Retail Business Establishments Statute Law Amendment Act.

The House adjourned at 1801.

ERRATA

No.	Page	Column	Line	Should read:
80	3383	1	1	Mr Chiarelli: I certainly would like to comment on the Conservative critic's comments. I endorse them 100% in the sense that what we have seen is a number of bills
80	3394	1	6	ing defensive medicine, that there is a contribution both

**LEGISLATIVE ASSEMBLY OF ONTARIO
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Clerk Assistant and Clerk of Journals/Greffier adjoint et Greffier des journaux: Alex D. McFedries

Sergeant at Arms/Sergent d'armes: Thomas Stelling

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Whip du gouvernement**

ande, Zanana (St Andrew-St Patrick ND)

en, Hon/L'hon Richard (Hamilton West/-Ouest ND)

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ott, Ted (Wellington PC)

er, Charles (York North/-Nord L)

son, Gilles (Cochrane South/-Sud ND) PA to Minister of

Northern Development and Mines; PA to minister

responsible for francophone affairs; Vice-Chair, select

committee on Ontario in Confederation/

Ap du ministre du Développement du Nord et des Mines,

ap du ministre délégué aux Affaires francophones,

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Condition féminine

adley, James J. (St Catharines L) opposition House leader/

Chef parlementaire de l'opposition

own, Michael A. (Algoma-Manitoulin L) Vice-Chair, standing

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chanan, Hon/L'hon Elmer (Hastings-Peterborough ND)

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l'Agriculture et de l'Alimentation

llahan, Robert V. (Brampton South/-Sud L) Chair, standing

committee on public accounts/Président du Comité

permanent des comptes publics

plan, Elinor (Oriole L) Chair, standing committee on social

development/Présidente du Comité permanent des affaires

sociales

rr, Gary (Oakville South/-Sud PC)

rtter, Jenny (Peterborough ND) PA to Minister of

Citizenship, responsible for human rights, disability

issues, seniors' issues and race relations/Ap de la ministre

des Affaires civiques, déléguée aux Droits de la personne,

aux Affaires des personnes handicapées, aux Affaires des

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arlington, Hon/L'hon Brian (Hamilton Mountain ND)

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financières

iarelli, Robert (Ottawa West/-Ouest L)

ristopherson, David (Hamilton Centre/-Centre ND)

PA to Treasurer of Ontario and Minister of Economics/

Ap du Trésorier de l'Ontario et du ministre de l'Économie

urley, Hon/L'hon Marilyn (Riverdale ND) Minister of

Consumer and Commercial Relations/Ministre de la

Consommation et du Commerce

earry, John C. (Cornwall L)

onway, Sean G. (Renfrew North/-Nord L)

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Transportation/Ap du ministre des Transports**

Daigeler, Hans (Nepean L)

**Drainville, Dennis (Victoria-Haliburton ND) PA to Minister of
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président du Comité spécial sur le rôle de l'Ontario au sein
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**Ferguson, Hon/L'hon Will (Kitchener ND) Minister of
Energy/Ministre de l'Énergie**

**Fletcher, Derek (Guelph ND) PA to Minister of Consumer and
Commercial Relations/Ap du ministre de la Consommation
et du Commerce**

Frankford, Robert (Scarborough East/-Est ND)

**Gigantes, Hon/L'hon Evelyn (Ottawa Centre/-Centre ND)
Minister of Housing/Ministre du Logement**

Grandmaitre, Bernard C. (Ottawa East/-Est L)

**Grier, Hon/L'hon Ruth A. (Etobicoke-Lakeshore ND)
Minister of the Environment, minister responsible for the
greater Toronto area/Ministre de l'Environnement, ministre
responsable du Bureau de la région du grand Toronto**

- Haeck, Christel (St. Catharines-Brock ND)
- Hampton, Hon/L'hon Howard** (Rainy River ND) Attorney General/Procureur général
- Hansen, Ron (Lincoln ND)
- Harnick, Charles (Willowdale PC)
- Harrington, Margaret H. (Niagara Falls ND) PA to Minister of Housing/Ap du ministre du Logement
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- Haslam, Hon/L'hon Karen** (Perth ND) Minister of Culture and Communications/Ministre de la Culture et des Communications
- Hayes, Pat (Essex-Kent ND) PA to Minister of Agriculture and Food (agriculture)/Ap du ministre de l'Agriculture et de l'Alimentation (agriculture)
- Henderson, D. James (Etobicoke-Humber L)
- Hope, Randy R. (Chatham-Kent ND) PA to Minister of Community and Social Services/Ap du ministre des Services sociaux et communautaires
- Huget, Bob (Sarnia ND) PA to Minister of Energy/Ap du ministre de l'Énergie
- Jackson, Cameron (Burlington South/-Sud PC) Chair, standing committee on estimates/Président du Comité permanent des budgets des dépenses
- Jamison, Norm (Norfolk ND) PA to Minister of Industry, Trade and Technology, responsible for small business/Ap du ministre de l'Industrie, du Commerce et de la Technologie, délégué aux Affaires des petites entreprises
- Johnson, Paul R. (Prince Edward-Lennox-South Hastings/Prince-Edward-Lennox-Hastings-Sud ND) PA to Minister of Revenue/Ap du ministre du Revenu
- Jordan, W. Leo (Lanark-Renfrew PC)
- Klopp, Paul (Huron ND) PA to Minister of Agriculture and Food (food)/Ap du ministre de l'Agriculture et de l'Alimentation (alimentation)
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- Kwinter, Monte (Wilson Heights L)
- Lankin, Hon/L'hon Frances** (Beaches-Woodbine ND) Minister of Health, minister responsible for the provincial anti-drug strategy/Ministre de la Santé, ministre déléguée à la Stratégie antidrogue provinciale
- Laughren, Hon/L'hon Floyd** (Nickel Belt ND) Deputy Premier, Treasurer of Ontario and Minister of Economics/Vice-premier ministre, Trésorier de l'Ontario et ministre de l'Économie
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- Malkowski, Gary (York East/-Est ND) PA to Minister of Citizenship, responsible for human rights, disability issues, seniors' issues and race relations/Ap de la ministre des Affaires civiques, déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
- Mammoliti, George (Yorkview ND) PA to minister responsible for the provincial anti-drug strategy/Ap de la ministre déléguée à la Stratégie antidrogue provinciale
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- Mathysen, Irene (Middlesex ND) PA to Minister of the Environment, government whip/Ap de la ministre de l'Environnement, whip du gouvernement
- McClelland, Carman (Brampton North/-Nord L)
- McGuinty, Dalton J.P. (Ottawa South/-Sud L)
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- Murdock, Sharon (Sudbury ND) PA to Minister of Labour/Ap du ministre du Travail
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- O'Connor, Lawrence (Durham-York ND) PA to minister responsible for the greater Toronto area/Ap de la ministre responsable du Bureau de la région du grand Toronto
- Offer, Steven (Mississauga North/-Nord L)
- O'Neil, Hugh P. (Quinte L)
- O'Neill, Yvonne (Ottawa-Rideau L) opposition deputy whip/Whip adjointe de l'opposition
- Owens, Stephen (Scarborough Centre/-Centre ND) PA to Minister of Financial Institutions, government whip/Ap du ministre des Institutions financières, whip du gouvernement
- Perruzza, Anthony (Downsview ND) PA to Minister for Skills Development/Ap du ministre de la Formation professionnelle
- Philip, Hon/L'hon Ed** (Etobicoke-Rexdale ND) Minister of Industry, Trade and Technology/Ministre de l'Industrie, du Commerce et de la Technologie
- Phillips, Gerry (Scarborough-Agincourt L)
- Pilkey, Hon/L'hon Allan** (Oshawa ND) Solicitor General, Minister of Correctional Services/Solliciteur général, ministre des Services correctionnels
- Poirier, Jean (Prescott and Russell/Prescott et Russell L)

le, Dianne (Eglinton L) Vice-Chair, standing committee on public accounts/Vice-Présidente du comité permanent des comptes publics

Liott, Hon/L'hon Gilles (Lake Nipigon/Lac-Nipigon ND) Minister of Transportation, minister responsible for francophone affairs/Ministre du Transport, ministre délégué aux Affaires francophones

Le, Hon/L'hon Bob (York South/-Sud ND) Premier, Minister of Intergovernmental Affairs/Premier ministre, ministre des Affaires intergouvernementales

McKay, David (Timiskaming L)

McLennan, Tony (Oakwood IND)

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Precht, Tony (Parkdale L)

Pott, Ian G. (St. George-St. David L)

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Rea, John (Mississauga East/-Est L)

Rebara, Gregory S. (York Centre/-Centre L)

Rebling, Norman W. (Carleton PC)

Reckwell, Chris (Etobicoke West/-Ouest PC)

Rehivan, Barbara (Halton Centre/-Centre L)

Reherland, Kimble (Oxford ND) PA to Chairman of the Management Board of Cabinet; Vice-Chair, standing committee on finance and economic affairs/Ap du président du Conseil de gestion du gouvernement, vice-président du Comité permanent des finances et des affaires économiques

Rehrbrick, Anne (Scarborough West/-Ouest ND)

Reison, David (Dufferin-Peel PC)

Reynolds, David (York Mills PC)

Reheneuve, Noble (S-D-G & East Grenville/S.-D.-G. & Grenville-Est PC) Second Deputy Chair of the Committee of the Whole House/Deuxième vice-président du Comité plénier de l'Assemblée législative

Reard, Brad (Brantford ND) PA to Minister of Industry, Trade and Technology with responsibility for trade and technology/Ap du ministre de l'Industrie, du Commerce et de la Technologie et délégué au Commerce et à la Technologie

Ward, Margery (Don Mills ND) PA to Minister of Government Services/Ap du ministre des Services gouvernementaux

Wark-Martyn, Hon/L'hon Shelley (Port Arthur ND) Minister of Revenue/Ministre du Revenu

Warner, Hon/L'hon David (Scarborough-Ellesmere ND) Speaker; Co-Chair, special committee on the parliamentary precinct/Président, coprésident du Comité extraordinaire de l'enceinte parlementaire

Waters, Daniel (Muskoka-Georgian Bay/Muskoka-Baie-Georgienne ND) PA to Minister of Tourism and Recreation; Vice-Chair, standing committee on resources development/Ap du ministre du Tourisme et des Loisirs, vice-président du Comité permanent du développement des ressources

Wessinger, Paul (Simcoe Centre/-Centre ND) PA to Minister of Health/Ap de la ministre de la Santé

White, Drummond (Durham Centre/-Centre ND) Chair, standing committee on regulations and private bills/Président du Comité permanent des règlements et projets de loi privés

Wildman, Hon/L'hon Bud (Algoma ND) Minister of Natural Resources, minister responsible for native affairs/Ministre des Ressources naturelles, ministre délégué aux Affaires autochtones

Wilson, Hon/L'hon Fred (Frontenac-Addington ND) Minister of Government Services/Ministre des Services gouvernementaux

Wilson, Gary (Kingston and The Islands/Kingston et Les Îles ND) PA to Minister of Culture and Communications/Ap de la ministre de la Culture et des Communications

Wilson, Jim (Simcoe West/-Ouest PC)

Winninger, David (London South/-Sud ND) PA to Attorney General, PA to minister responsible for native affairs/Ap du Procureur général, ap du ministre délégué aux Affaires autochtones

Wiseman, Jim (Durham West/Durham-Ouest ND) PA to Minister of Correctional Services/Ap du ministre des Services correctionnels

Witmer, Elizabeth (Waterloo North/-Nord PC)

Wood, Len (Cochrane North/-Nord ND) PA to Minister of Natural Resources/Ap du ministre des Ressources naturelles

Ziemba, Hon/L'hon Elaine (High Park-Swansea ND) Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations/Ministre des Affaires civiques, déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales

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Finance et affaires économiques

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Vice-Chair/Vice-Président: Vacant

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Vice-Chair/Vice-Président: Vacant

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Règlements et projets de loi privés

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Legislative Assembly of Ontario

First Session, 35th Parliament

Official Report of Debates (Hansard)

Monday 18 November 1991

Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le lundi 18 novembre 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Under the new system, the sequence of numbering started in January 1991 will end with the final House and committee sittings of the present First Session. A new sequence will begin on the opening day of the Second Session, and each succeeding session, which will be issue 1 and begin with page 1. Committee reports likewise will be numbered from the first sitting of each committee in a parliamentary session.

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Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 325-7400.

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Depuis deux ans, le Journal des débats était numéroté par année civile. Avec ce système, la numérotation des numéros et des pages recommençait au premier numéro de l'année civile, quelle que soit la session ou la législature.

Avec le nouveau système, la numérotation commencée en janvier 1991 s'arrêtera à la dernière séance de la Chambre et des comités de l'actuelle première session. Une nouvelle série commencera le jour de l'ouverture de la deuxième session et des sessions suivantes : numéro 1, page 1. Les rapports des comités seront également numérotés à partir de la première séance de chaque comité pour une session parlementaire donnée.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 18 November 1991

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

CONSERVATION AUTHORITIES

Mrs Fawcett: Constituency week is over, and the treasurer has had time to consider the \$679-million worth spending cuts to come. I am concerned about the impact these cuts on the often underappreciated conservation authorities, which are so important to protecting the landscape of Ontario.

The Ministry of Natural Resources cut transfer payments by \$4.5 million to fund its own constraint targets in the spring of 1991; \$1.35 million was cut to meet the 1991 constraint, and an additional \$2.5-million cut was expected.

Operational budget cuts have a human cost. In this instance, the foot soldiers of environmental protection are being put out of work. I would remind the House that every \$1 of transfer payments to a conservation authority is matched by \$2 from other sources.

The 38 conservation authorities are angry that the government ignored a long-standing agreement between them and the Ministry of Natural Resources. This agreement states that provincial transfer payments to conservation authorities will not be altered as a result of any general constraint that is applied to the Ministry of Natural Resources unless the government applies a constraint to all government ministries and all local government transfer payments.

Are the conservation authorities being made the victims of the ministry's own internal problems? Will the treasurer continue to allow the conservation authorities to be treated in this manner—no consultation, and policy changes without notice?

LABOUR LEGISLATION

Mrs Witmer: On Thursday, November 7, the Minister of Labour released his long-awaited, much-feared package of proposed amendments to the Labour Relations Act. I want to tell the minister about the impact of his announcement thus far.

Last week I received many calls and letters from communities which are reconsidering their future in Ontario if these proposals become law. However, I want to mention the impact in my community specifically. One employer called to tell me that he would be moving to the United States and that 100 jobs would be lost within a year. Others called to say that they were downsizing, while others said that all new growth would now occur in the United States, as opposed to Ontario.

Another letter stated:

"The owner has stated unequivocally that he will shut his plant down and put 150 employees out of work if such legislation is adopted.

"The NDP government is obviously shooting itself in the foot. However, the pain of this self-inflicted injury will be borne by the employers of small and medium-sized business. Hundreds of thousands of jobs are in the balance. The NDP government must be made to back off on this most critical issue."

Instead of creating further obstacles to employment and economic growth in Ontario, I would urge the minister to do an economic impact study to determine how many more jobs and how much more investment will be lost if these amendments are passed as he has proposed.

CAT SCANNER

Ms Harrington: When I arrived back in my constituency of Niagara Falls last week I was almost swamped by the volume of mail from my constituents. I have here almost 1,000 letters addressed to the Minister of Health. These letters were addressed by hand and stamped, the majority of them, and sent to me within a one-week period. I will quote:

"Dear Ms Lankin:

"As a resident of the Niagara Falls area and a consumer of health care, I wish to advise you of my deep concern over the lack of CT scan services available in my community. I am of the opinion that the merits of locating a CT scan in Niagara Falls are being overlooked and request that your immediate attention be directed to correcting the situation. Personally, and as a member of this community, I want you to know that I am in support of locating a CT scan at the Greater Niagara General Hospital."

That is the letter I have received. The community demand is absolute. The issue of a CT scan in Niagara is a priority. The Greater Niagara General Hospital has the most emergency outpatient visits of any comparable hospital across Ontario; that is, 70,000 in 1990. Further, there is a five-month waiting period for CT scans across Niagara. This is the longest waiting period in Ontario.

We must stop the cross-border shopping for CT scans. I ask the minister to act.

VICTIMS OF VIOLENCE

Mrs Y. O'Neill: Today, I wish to congratulate the women of the Ontario Association of Interval and Transition Houses who presented their annual lobby here at Queen's Park. This lobby is built upon a tradition of deep respect for those who have suffered and a continued awareness and poignant reminders of all that needs to be done.

I stand in the House today with deep sorrow as I remember Ottawa's latest victim of violence, Patricia Allen, who died on the street on the morning of Wednesday, November 13. Her death has focused again our communities' outrage and disbelief that such violence is in our midst.

This disbelief and outrage, however, will not solve the problem. We must continue to remind the government of the importance of stabilizing the system so that those who

work within it can maximize their effectiveness. Salaries for shelter workers and pay equity for shelter workers must be a top priority. We must remind this government that supervised access must be provided in communities right across this province and cutbacks to legal aid must not be made.

I commit myself to support the priorities placed before us by the Ontario Association of Interval and Transition Houses this morning. I urge the government to share my commitment. The answer to their question, "When?" must be, "Now."

1340

ROBERT McCLURE

Mr Jackson: We have all suffered a terrible loss with the passing last week of Dr Robert McClure, a man who was as famous for his opinions on international issues as he was for his singular achievements.

What was truly remarkable about this unlikely missionary was that while he never attained a theological degree, he preached all his life with his actions as a medical physician, taking risks daily in some of the most dangerous areas of the world as he reached out to personally touch the lives of countless thousands with his medical experience and his healing presence. I had the privilege of first meeting him in 1961 as a guest preacher in our church.

As the first lay moderator of the United Church of Canada, Robert McClure brought to his new job a fresh and unsettling perspective. His activism soon earned for him the respect of all, even of those who disagreed with him. As one Canadian church historian has said, "McClure became such an icon in the United Church that it was impossible to publicly criticize him. It would have been like criticizing Mother Teresa." Even during his lifetime, three churches were dedicated to him.

What I found very inspiring about Robert were his self-assured personal convictions and his unswerving dedication to causes he believed in, irrespective of what was maintained by the conventional wisdom of the moment. In his later years, Robert was a highly popular speaker who shared his insights and life experiences with audiences eager for his revitalizing enthusiasm for life.

Vigorous, entertaining, courageous and sometimes outrageous, this is the Robert McClure, the modern Canadian saint, we will always remember. On behalf of all members of the Ontario Legislature, I wish to convey our condolences to Robert's wife, Amy, and to his entire family. May the memory of the person and vision of Dr Robert McClure continue to inspire all of us.

BREAST-FEEDING

Mr Frankford: "Health Activists Win Battle to Ban Bottle Feeding" and "Companies Forbidden to Distribute Infant Milk Formula in World's Hospitals" are the headlines of an article in the *Globe and Mail* of November 9, 1991.

Breast-feeding of infants is one of the most important health measures. Breast-feeding protects against infectious diseases and is regarded as a keystone of child health. The

advantages of breast-feeding regarding environmental impact and other health benefits are well documented. The consequent saving of costs to the health care system is welcome to governments as they struggle against budget pressures.

As the article in the *Globe and Mail* suggests, this is a worldwide issue, not something that is confined to less-developed countries. In industrialized countries like ours, children need the same protection.

It is now 10 years since Canada joined all other nations, with the exception of the United States, in voting for the World Health Organization's code of marketing of breast milk substitutes, and yet the federal government has still failed to implement it with legislation. I hope that all hospitals in Ontario and other provinces are voluntarily complying with the code and that the federal and provincial governments will take immediate action to make the withdrawal of infant formula sampling by hospitals permanent.

NIAGARA REGION

Mr Bradley: I rise to bring the members of the Legislature up to date on the lack of necessary action on the part of this government for the people of the Niagara region.

First of all, we have already heard from the member for Niagara Falls, who has once again brought to the attention of the members of the Legislature an item I have raised on many occasions, and that is the need for another CAT scanner in the Niagara region to service the health needs of the people who reside in that part of the province.

We know of the long waiting list of five to six months; we know that the scanner is an essential tool for the diagnosis of disease and for other purposes. One has to wonder why, in all these months, the government has not moved on it.

Second, there is a concern—speaking of moves—about the move of the Ministry of Transportation to the city of St Catharines. People in St Catharines are not quite worried that in fact this is not going to happen because of some of the statements they are hearing from members of the government side, particularly the Chairman of the Management Board of Cabinet.

Third, the Hotel Dieu Hospital in St Catharines is the regional dialysis unit for the entire Niagara region. It is overcrowded. The only thing that makes it possible for people to exist is the excellent staff in that unit at that particular hospital. They hope the government will give favourable consideration to its funding.

Farmers in the Niagara region besieged the member for Lincoln, who was deposed last week as Chair of a committee by the Premier, and expressed then their views about the concerns they have about the needs of farmers in the Niagara region being ignored by this government.

I think I was gypped on the amount of time I was supposed to have. It just seems I could not possibly have run out of time like that.

The Speaker: We all need more.

UNITED WAY CAMPAIGN

Mr Turnbull: Last Friday, I participated in a United Way presentation by Suncor/Sunoco. The ceremony

rapped up a western theme campaign which produced 87% overall employee participation and 38 Leaders of the Way, a special category for donors who give \$1,000 or more.

The total amount raised by the 717 participating employees was an astonishing \$151,000. Because the company has a corporate policy of 75% matching donation, the total cheque given to the United Way was an impressive \$261,000. These results place Suncor/Sunoco among the top 10 companies in Metro Toronto. Not only did most employees donate their money, but many gave their time and talents to encourage others to donate. Special mention must be made of executive vice-president Doug MacKinnon, the driving force behind the successful campaign.

The generosity of these men and women is an example to us all. They embody the very best of the Canadian spirit—caring for others, sharing what they have in tough economic times and expecting no personal reward. Their generosity means that next year some families, youth and the elderly will all have their lives made a little easier, be offered a helping hand when needed or receive some food, counselling or other comfort.

On behalf of all of the needy in our community, I want to say thank you to Suncor and all its employees who participated in the United Way drive. The results of their tremendous efforts are very impressive. I congratulate them on a job well done.

DRINKING AND DRIVING

Mr Mills: This morning in Oshawa I had the privilege of addressing the unit 7 Ontario Students Against Impaired Driving at their area conference. I must say it was very encouraging to be among so many young people, perhaps 100, who have made such a commitment among students to combat impaired driving and drinking and driving. It was encouraging to see their enthusiasm.

I remember years ago when we got invited anywhere, we were used to be on the bottom of the invitation BYOB, which meant "Bring your own Beer." The students tell me today that is still in effect, but believe it or not, it means "Bring your own banana." That may seem strange, but these young people have taken to drinking milk, bringing a banana and making milkshakes there.

Despite the lack of alcohol, they still enjoy themselves. They still have a good time. They still enjoy wonderful friendship with each other. At this time I would just like to draw the attention of the House to the commitment of our young people in their drive to reduce impaired driving. I think they should be commended for it.

Hon Mr North: Mr Speaker, I understand that I have unanimous consent from the House to make some remarks in honour of Ontario's Corps d'élite award winners.

The Speaker: Do we have unanimous agreement?
Agreed to.

CORPS D'ÉLITE AWARDS

Hon Mr North: We have five distinguished visitors in the House today. All of them are dedicated volunteers and professionals who have made outstanding contributions to recreation in Ontario. In recognition of their achievements,

today they will receive the province's highest honour in recreation, a Corps d'élite Ontario Award.

Please join me in welcoming Bob Arnot of Kitchener; Mrs Joyce Cavill of Kitchener, who is here for her late husband Peter Cavill; Dean McCubbin of North Bay, and Jenny Sheps and Joan Woodland, both of Toronto.

All five of the recipients have shown through their commitment to recreation that quality recreation is much more than a hobby, a pastime or a luxury. It is essential to human development and wellbeing at every stage of life. Each one of the Corps d'élite recipients has significantly increased recreational opportunities for Ontarians.

In a few minutes I will escort the five recipients to the Lieutenant Governor's suite, where they will receive the awards in ceremonies presided over by His Honour Lincoln Alexander.

Mr Speaker, I would ask you and the honourable members to join with me now in showing our appreciation of all recreation volunteers and professionals by honouring Bob Arnot, Mrs Joyce Cavill, Dean McCubbin, Jenny Sheps and Joan Woodland.

Mr McClelland: I join my colleague opposite, the Minister of Tourism and Recreation, in extending on behalf of our party our congratulations to the recipients of the Corps d'élite award.

Certainly the recipients today are well honoured, inasmuch as they are chosen by their peers who are engaged professionally in recreation. It is certainly a great honour to be recognized in any event, but when you are selected by your peers I think it adds to that honour.

The contribution made by people involved in recreation, both professionally and on a volunteer basis, is in my view inestimable. Certainly the contribution made to communities large and small right across this province means the quality of life is enhanced and enriched a great deal by the efforts of the people who are represented by the award recipients today. I think in terms of the number of young lives engaged in positive pursuits, and not only young lives but those who have their lives steered in a very positive direction. Indeed, throughout the course of their entire lives, recreation is something that is available for people of all ages and that greatly enriches the quality of life in this province.

To the recipients we offer our congratulations and wish you well in your continued endeavours. I know you receive them in some sense on behalf of your many colleagues who have worked with you both professionally and in a volunteer capacity. We wish you well, and continued success. Our best wishes, and again our heartfelt congratulations for a job well done.

1350

Mr Arnot: I am pleased to rise in the House this afternoon on behalf of the Ontario Progressive Conservative Party to pay tribute to the five Ontarians who will today receive the prestigious Corps d'élite Ontario Award for their outstanding involvement in recreation that has had a significant impact on recreation in Ontario.

The Corps d'élite program was first introduced by the Ministry of Tourism and Recreation in 1985. It is designed

to acknowledge those Ontario residents from all sectors of the community whose voluntary efforts have had a major impact on the development of recreation in this province, and to recognize outstanding efforts by those volunteers or recreational professionals who contribute in a volunteer capacity to the development of recreation at either the provincial or regional level.

The recipients of today's awards are Bob Arnot of Kitchener, the late Peter Cavill of Barrie, Dean McCubbin of North Bay in the great riding of Nipissing, and Jennie Sheps and Joan Woodland, both of North York. Each of these individuals has demonstrated an outstanding commitment to recreation in our province and it is fitting that their unselfish contribution will be recognized in this significant way.

I am sure all members of the House will join me in extending congratulations and best wishes to these dedicated citizens of Ontario, and especially to Joyce Cavill who will be accepting the posthumous award to her late husband, Peter Cavill, who beginning in 1966 served as director of recreation for the 33 municipalities in Simcoe county.

Mr Conway: On a point of order, Mr Speaker: I would like to seek consent to pay tribute to one of our colleagues, the member for Carleton East.

The Speaker: Do we have unanimous agreement?
Agreed to.

MEMBER FOR CARLETON EAST

Mr Conway: Mr Speaker, very briefly, I would simply like to take this opportunity this afternoon to advise all members who may not be aware of the fact that earlier this morning, in your presence, the Lieutenant Governor conferred on our good friend and colleague the Deputy Speaker and member for Carleton East the Canadian Volunteer Service Medal for Korea.

I simply want to say, as one of Mr Morin's colleagues in the Liberal Party, that I was delighted to be able to join with him, yourself and other members of the Legislature on that occasion, as well as with his good wife, Paula, who is in your gallery this afternoon, and to say that those of us who have known the member for Carleton East over the years have known him to be a man who has a keen interest not just in politics, but as a result of his military past in matters of military activity as well.

I would say in conclusion that this is a very fitting tribute to one of our colleagues. For me, the ceremony this morning had all the hallmarks that Mr Morin has brought to his parliamentary duties, namely, and most especially, the hallmarks of civility and decency, where he shows a very high and good example to the rest of us.

Mr Sterling: Mr Speaker, I add my congratulations to Gilles Morin and his family on the significant achievement he has been able to receive this morning. I have known Gilles for the last five or six years. He represents the riding adjacent to mine in Carleton in eastern Ontario, and he has shown that he has an understanding of the people in that area, who have re-elected him on three occasions. His past service in the armed forces no doubt adds credibility to his

long and distinguished career. Our party adds its congratulations to him.

Mr Mills: It gives me a great deal of pleasure, and it is indeed an honour, to stand here this afternoon on behalf of the government and add our congratulations to the member for Carleton East.

I must say that when I came here a little over a year ago, I was not aware of many members here who had served in the military. I quickly made the acquaintance of the member for Carleton East in a very wonderful sort of way. He came up to me and offered all kinds of little tidbits of advice that have stood me in great stead in the short time I have been here, and I thank him for that.

It is regrettable that although I was to be at that ceremony this morning, I had to be in Oshawa for a meeting and could not be there. I apologize that I was not there, but while I was giving my speech in Oshawa, I was at the same time thinking of that ceremony here this morning. I know how important that is to the member and his family.

Gilles served in the Royal 22nd Regiment. Somewhat uniquely as an anglophone, I spent six months with that regiment. I would just like to say that if we could get that spirit in Canada today, it would go a long way to solving the differences between anglophones and francophones, because really where people come together is in the military.

Certainly I recognize the member's service as a machine-gun officer in the Korean War. That was no easy time. He survived that war and is here and is recognized today with a medal at last; it has long been coming and is long overdue, and I offer him our congratulations.

Mr Cousens: Mr Speaker, can I seek unanimous consent from this House to have a moment when we talk about racism and the problems that occurred over this weekend?

The Speaker: Do we have unanimous consent?
Agreed to.

RACE RELATIONS

Mr Cousens: I would like to make a statement on behalf of the Ontario PC caucus with regard to the desecration of the Har Tikvah synagogue in Brampton over this past weekend.

First of all, having been talking with the member for Willowdale, I would like to join with him in the comment he has been able to pass on concerning the commendation we have for the minister for visiting the synagogue and for the sentiments she expressed yesterday with regard to racism and Naziism: that they are not welcomed in our city or in our province or our country. I give her tribute for the concern she showed.

In our country, racism should not be tolerated under any circumstances. I would like to commend our police services right across this province to pull out the stops and find the people who were involved in this incident. May they then be given full rights under the law so that they are quickly brought to justice and dealt with without delay. As to the problems that are created for all Jewish communities across our country and our province, it just sends a terrible

udder through all of them when something like this happens. Let's hope we can deal with this incident and deal with it well, efficiently and successfully.

We need only to draw upon examples such as this incident in Brampton, Keegstra in Alberta, David Duke's recent race for governor in Louisiana and the re-emergence of neo-Naziism in Germany to be reminded that racism can affect us all. Within Metropolitan Toronto, multiculturalism is also under attack. We see an increase in acts of violence against minorities stemming from fear and intolerance towards other races. As a society, we cannot move forward until we eradicate racism in all its forms.

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Historically racism has resulted from fear, socioeconomic disparities, religious doctrines and philosophical beliefs. By now we should have learned our lessons. Unfortunately some have not learned. Those continuing to advocate racist thinking and actions only stunt our growth and understanding of other cultures.

I believe that overcoming racism begins by confronting this issue, first, on a personal level and, second, by influencing those around us. This message must be expanded to our educational system and all levels of people with whom we have dealings.

As members of this House, may we personally continue to give the best example we can in our homes and our communities and bring leadership to this province, so that when we say Canada and Ontario are places where people are welcome, we are not just lippping the words but mean them from the bottom of our hearts. May we set an example for the rest of the world. We have the chance. May the blight that happened this weekend be one of the last we ever see in this province.

Hon Ms Ziemba: I rise on behalf of the government to express our outrage over the desecration of the Har Tikvah synagogue in Brampton. I went there yesterday to witness at first hand the desecration of the synagogue. I met with members of the community and members of the Toronto Jewish community as well. I was horrified by the hatred that came through those messages on the wall of this very historic building. I am also saddened by the pain that was visibly felt by the Jewish community.

I spoke to some of the members of the congregation who expressed that they had come from many parts of the world, from Chile, from Europe, from Israel and from the United States, and the reason they came to Ontario was they felt they were coming to a place that was harmonious and safe to live in, where they could express their religion and culture.

It is particularly disturbing that this attack came in the midst of the memorial services on Remembrance Day for all the brave men and women who said no to fascism and died fighting for a just and equal society. This racist and anti-Semitic attack is an act of disrespect for our loved ones who died so we could have a better tomorrow.

Unfortunately the attack also coincided with the Holocaust remembrance events which began in early November with the event called Kristallnacht, the night of broken

glass. This act of desecration is a chilling reminder that racism exists so close to home.

This government will not tolerate such despicable acts of racism. We share the pain and anguish felt by the Jewish community and all of us who believe in social justice. An injury to one is an injury to all. To eradicate racism is a top priority of this government. I thank the member from the opposition who shares this concern with us. The establishment of an anti-racism secretariat with new direction and funding resources is part of that commitment.

I will continue to monitor the situation and work very closely with the Jewish community and other communities which share our feeling that we must combat racism. All members of the House must work together to eradicate racism and anti-Semitism. All of us must work towards that ideal society we want to share and have for our children.

Mr Offer: The actions taken last Saturday night against the Har Tikvah synagogue in Brampton are shocking. Anti-Semitic slogans and the swastika on the walls of the synagogue bring back a terror and a horror beyond words. These are actions which rip at the very fabric of the Jewish community. They bring back haunting memories of six million Jewish men, women and children whose lives were brutally taken from them.

I believe the condemnation of the actions of last Saturday is not just voiced by the Jewish community but indeed by society at large. When we see and read the media reports, we all ask why. What is it that moves a few to act this way? What is it that prompts one to act so frighteningly and with such hatred? We know these are the actions of a few. We know society abhors such actions and recoils in horror. Nevertheless it goes on.

The actions last Saturday at Har Tikvah synagogue were specific in nature, but we know they connote a much broader problem. This is an issue of racism in its most hideous form. As a society we must collectively work to combat racism. It is not unique to one group or another. It is a disease which, when afflicted on one, affects all. Examples abound and the hurt continues, but the resolve to combat racism grows. Men, women and children living together, understanding and respecting each other must continue to flourish. Above all, there must be a willingness to speak out and raise one's voice when a wrong has been committed. Last Saturday's actions were monstrous in their scope and intent. They force us to look at ourselves, where we are and where we want to go.

Together we will remain strong and continue the struggle against racism. Together we stand with the congregation at Har Tikvah, Rabbi Lander and all of those who have been specifically impacted. Their horror and sadness are shared by all of us. Their horror and sadness are our horror and sadness.

ORAL QUESTIONS ONTARIO ECONOMY

Mr Sorbara: My question is to the Treasurer. His announcement last week struck another very serious blow to the economic confidence we so desperately need in Ontario. The Treasurer announced that the budget he presented last spring was in error yet again with a shortfall in

revenue of more than \$2 billion. I want to put this in some sort of context.

Members will recall that the budget had about a \$10-billion deficit. On October 2 the Treasurer announced in this House that the budget was wrong and that we had to find \$460 million in order to make it right again. At that time he said there were "enormous pressures on the expenditures, but our revenues were almost spot on." "Spot on" has become famous.

On October 3 the Treasurer said the numbers indicated that "our revenues are as we forecast in the spring budget." Now we find, with a finger pointed to the federal government, there is a shortfall of \$2.1 billion. In consideration of this outrage to the taxpayers of this province, what does the Treasurer have to say to them? How does he explain the fact that his budget has suffered yet another fatal blow? And could he tell us where this money is going to be made up?

Hon Mr Laughren: It is a good question, as someone on the other side commented, except that it is not terribly accurate in all the implications that are built into it.

When I made my statements in the Legislature earlier, I forewarned that income taxes in Ontario collected by the federal government had historically been very volatile and that we did not know what those numbers would be. I said that our own source revenues that we forecast and collect ourselves appeared to be virtually spot on. The member opposite should be clear about that. What were inaccurate in the forecasting were the federal government numbers on what our provincial income taxes in this year are likely to be and would likely be for 1990, not the numbers that we forecast ourselves in the budget. Our numbers are derived from the federal forecasts.

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Mr Sorbara: For the Treasurer to make light of what he said and simply suggest it was a \$2-billion error and after all "these things are rather volatile," in the serious economic times we are confronting right now is an insult to this House and to the people of this province.

There are really only three ways in which the Treasurer can deal with a budget that has now crumbled. He can do what he did on October 2 and say he is going to transfer some \$500 million to next year—that is really doing a lot, I say to the Treasurer—he can reduce expenditures or he can increase taxes.

We have seen the strategy to reduce expenditures. The Attorney General has put off the child and family support program. The Minister of Health has transformed herself into a latter-day Frank Miller. We have to close hospitals all over the province. We are about to have cutbacks in education. We are about to have cutbacks in social service support in this province.

Could the Treasurer come clean with the people of the province and tell us what he is going to do to recover the \$460 million he needs in order to stay within the \$10-billion deficit he created last spring?

Hon Mr Laughren: It is my intention to announce in the House—tomorrow, I hope, but certainly this week—the ways in which we intend to cope with this latest news on what our income tax revenues will be for 1990 and

1991. It is a two-year problem, not a one-year problem, might add. It is my intention to announce in the House tomorrow exactly what actions will be taken.

Mr Sorbara: The Treasurer said it is a two-year problem. It is not a two-year problem; it is a four-year problem. It is a fact that this province is now in the grip of an NDP government that does not have a clue how to stimulate this economy.

The Treasurer said he is going to tell us where he is going to make the next cuts in programs tomorrow. We anticipate it is going to be in Health. We anticipate it is going to be in Education. We anticipate it is going to be in Colleges and Universities. As with every other cut this government has put into place, we anticipate it is going to hurt the poor and the most vulnerable most of all. It is certainly not going to help the civil servants.

We learn as well that the Treasurer, notwithstanding the economic problems, spent about \$250 million on consultants. In view of the fact that the people of this province, if they agree on one thing and one thing alone, agree that there cannot be an addition to the tax burden, will the Treasurer simply assure this House now and the people of Ontario that when he reports this week on how he is going to make up this \$2 billion, he will not inflict another tax on the people of this province?

Hon Mr Laughren: It is amazing. The member opposite is insisting of course that we not impose any new taxes. He has insisted in the past that we not allow the deficit to go beyond what it is now. I am not sure whether the member opposite is going to leave for me.

I would like to put in perspective the forecast number that the member opposite refers to. When his government was in office in 1988-89, the federal government's variance with its forecast was \$1.490 billion. His government's variance was over \$1 billion out in 1988-89. When his government was in office in 1989-90, it was \$882 million out on what it thought the income tax revenues would be for Ontario. For the member opposite to try to kid the people of this province that our budget is in disarray because of federal government forecasting on income tax revenues is simply unfair and untrue.

Mr Sorbara: The Treasurer's budget is in disarray because this economy is falling apart, and while it is falling apart, he is sitting there pointing the finger at the federal government and the previous government. I want to remind him of one fact. We were out in our forecast some what, but we were out on the positive side. We got \$1 billion more out of the economy than we had forecasted because we had unprecedented economic growth.

The Speaker: Is this your second question? Would you please indicate to whom you are addressing your question?

Mr Sorbara: I want to put it to the Treasurer as simply as I can. The only way to solve his budgetary problem and the only way to solve the economic problems is for the government to bring forward programs that stimulate economic growth in this province. We now have 10% of our people who are languishing, looking for opportunities to work. We are casting our eyes aside from 10% of our

people who are anxious to participate. In every other province in Canada there is a growth in the employment statistics. It is only in Ontario where the employment figures simply get worse and worse.

Can I ask the Treasurer what plans he has? What is he going to bring forward? What is he going to do to re-establish confidence in the Ontario economy so that investors will invest and create jobs and he can recover the \$2 billion in income tax losses because of people not working? What is why he lost the money; what is he going to do to correct it? How is he going to get this economy rolling again?

Hon Mr Laughren: The member opposite makes it appear as though it is just a simple case of the government moving in and doing everything to resolve the problem. He knows, or at least he should know, that the economy of the United States is having a very difficult time as well, and when it has a difficult time, we have a difficult time. I do not think it is unfair finger-pointing to say there is no question that the free trade agreement, the value of the Canadian dollar and high interest rates have had a major impact on the manufacturing and construction sectors in this province.

I remind the member as well that in the last 18 months or so, of all the layoffs in this country, about 80% have occurred in Ontario, and we have about 38% of the workforce. If anyone thinks government can simply move in and put in place programs that will employ those 260,000 people, I wish he would come forward and show me how he can do that, at the same time keeping in mind the admonition from the member opposite that we must not increase taxes and we must not increase the deficit in the province.

Mr Scott: This is a Mike Harris government but Harris doesn't get the salary. This is unfair.

The Speaker: While I am not encouraging interjections, one normally makes them from one's rightful place in the House. It would also be very helpful if the member for St George-St David could assist us in establishing a better atmosphere.

Mr Sorbara: There you have it. The Treasurer, who is also the Minister of Economics in this province, I remind him in case he did not realize it, and the person chiefly responsible for setting economic policy—the Premier should participate, but he is never here any more. God knows where he is. He certainly does not come to this House to answer questions.

I say to the Treasurer, who is also the Minister of Economics, that he simply cannot say: "Our hands are tied. There's nothing we can do. After all, we had 80% of the job losses during this recession and we didn't anticipate that and, my God, we didn't even anticipate getting elected, so why turn to us?" He cannot say that. He is responsible for taking measures, even powerful, direct interventionist measures, to create employment.

The Speaker: And your supplementary?

Mr Sorbara: The Treasurer fully knows his revenues are going to go down and down and down so long as he takes the view that there is nothing we can do. I ask the Treasurer what he says to the people of Windsor—some of

us were in Windsor this weekend—where there is 14% unemployment, where auto workers, where truckers, where retail shopkeepers, where workers from just about every segment of the economy are looking for an opportunity to get back into the economy and start paying income tax again.

1420

The Speaker: Would the member conclude his supplementary, please.

Mr Sorbara: What does the Treasurer say to the people of Windsor, other than, "Our hands are tied; there is very little we can do; we suffered all these layoffs"? What does he say to them?

Hon Mr Laughren: I will respond to the member, but I would ask people who follow these debates in the Legislature or watch them on television or read them in Hansard to keep in mind what the member opposite is telling us in this place. Number one, he is telling us, "Don't you dare raise taxes one little bit." Then he says, "You must intervene directly in the creation of jobs in this province." He is saying, "On the other hand, you can't raise the deficit at all either, and you cannot increase taxes, but somehow you've got to rebuild the Ontario economy." There is no free lunch, my friend.

Let me tell the member opposite about Windsor and southwestern Ontario. I do not know whether he has bothered to read a recent report by Peat Marwick Thorne based on southwestern Ontario or not. This is part of the summary of its report:

"Southwestern Ontario is a major location for foreign investment. Traditionally, southwestern Ontario is recognized as a diverse centre, with emphasis on manufacturing. Our survey indicates foreign investors also see the area's business environment as most suitable for manufacturing. Southwestern Ontario's strategic location, labour force and quality of life make it appealing to foreign executives looking for a place to locate a new company."

Rather than stand in his place day after day and pretend that the sky is falling, the member opposite should understand that Ontario remains the best place anywhere in which to live, invest and work.

Mr Sorbara: I guess the message to the people in Windsor is that they ought to write Peat Marwick Thorne and perhaps Peat Marwick Thorne has a job for them. I do not know how the Treasurer, when I ask him simply to send some sort of message of hope that maybe things will get on, maybe things will change, can read to me and this House and to the people of Windsor who are looking for work, something from Peat Marwick Thorne about foreign investment and about how wonderful it is there.

What does he say to the people of Thunder Bay, who are saying to us and saying to him, if he would listen, that the forest products industry is fragile, that Abitibi-Price is thinking of closing down a paper plant because it has a difficult time being competitive? What does he say to those industries? What is he prepared to do? What is he bringing forward to make this Ontario economy more competitive? What is he prepared to do for the 10% of the people of Thunder Bay who are also looking for work?

Finally, would he simply answer the question I asked three questions ago: Is there going to be a tax increase or is there not going to be a tax increase as a result of this latest budget fiasco?

Hon Mr Laughren: I wish the member opposite would not point his finger at Ottawa so often in this place. He accuses me of finger-pointing when he stands up and says there is a budget fiasco, clearly knowing that it is because of provincial income tax revenues forecast by the federal government and collected by the federal government. My friend should make his message consistent, because that is not what he has been doing.

I do not know of any government that would have done what we have already done in a year under very difficult circumstances. What government would have done what we did in Sault Ste Marie? What government would have done what we did in Elliot Lake or in Kapuskasing, or worked as hard to resolve the problems at UTDC or de Havilland? There is not a government anywhere in this country that has done as much as we have to try and ease the problems because of a very difficult recession in this province.

Mr Harris: I too have a question for the Treasurer. Let me at least congratulate him for one thing: for not adopting the Liberal strategy of spending even more money as a way to get us out of this situation. It is indeed years of that, including the Treasurer's first budget, that has got us into this mess.

We now know that despite the Treasurer's rhetoric with his budget over the past few months, he is facing a \$1-billion shortfall. This means, I believe, he has three options: He can increase the deficit, he can hike taxes or he can cut government spending.

He told reporters, I believe, going into last weekend, that making up this billion dollars will require a great deal of blood and sweat and tears. He has been through this weekend; he tells us that tomorrow he is going to tell us about the blood, sweat and tears produced in the way of spending cuts. I wonder if he could tell us today how much more bleeding, sweating and crying the taxpayers of this province are going to be burdened with as a result of his discussions and his look this past weekend.

Hon Mr Laughren: Rather than deal with the statement for tomorrow in a piecemeal way today, I would prefer to wait until all the pieces are in place. I will make a full statement tomorrow in this House, which is where it should be made.

Mr Harris: I think the Treasurer would understand perhaps why we have great difficulty with his government's ability to control spending or in fact to cut spending. We heard his previous announcement, which essentially cut nothing other than transfer payments to somebody else.

Let me get a little more specific. He shelled out \$240 million in consulting fees this year alone, yet he intends to cut only 5% from this next year. That means taxpayers will only have to pay out \$228 million for consultants, according to the Treasurer's figures in his announcement. With 92,000 civil servants who were given an extra \$512 million this

year, or a 14% hike in pay alone, how can he justify, with all of that in this past year, \$228 million, let alone one cent for consultants over the next year?

Hon Mr Laughren: When I saw the numbers on the consulting fees earlier, I was concerned too. Certainly one of the areas of ministry expenditures we will be looking at very closely—and that is already under way—is the whole question of consulting fees, because I do not disagree with the member opposite that too much is being spent on them. However, having said that, I think it would not be wise to rule out any expenditures on consultants whatsoever, because very often it is the most efficient way to get some expertise brought to focus on a problem.

On the second point of the member's question, dealing with the public sector compensation, I think he would do himself a favour if he would stop using the term 14%. We negotiated an increase of about 5.8% for the public sector last year, and then we told each of the ministries that only 5% would be funded out of the contingency fund and the other 0.8% would have to be found internally. In other words, it would be savings realized from within the ministries.

Mr Harris: It was \$512 million, payroll to payroll 6% negotiations, merit pay—that is where you get 3% if you show up. Then you have new civil servants, then you have that. The total cost went up 14%; with benefits, 16%. That is the figure, and on top of that you get all the consultants. Let's not confuse the facts.

I am concerned about the Treasurer's ability to cut anywhere he is going to cut, because he has not had a very good record on it. I suggest that putting this government in charge of cutting its own spending is kind of like putting the arsonist in charge of putting out the fire. We have not seen from them any ability to cut in the right areas.

I would like to ask the Treasurer about another experiment. We saw the \$240 million on consultants. I would like to ask him about this one. Here is a little plastic tape measure. This was given out as a gift by the government, I understand, to all the Ministry of Transportation employees in North Bay. I do not think the Treasurer would single them out as a special favour; I assume it was given out to them all. It has an Ontario logo on it. The box, though, says that it was made in Shanghai, China. I suggest to the Treasurer—this is what the employees tell me—that this is 100 centimetres of waste from the government.

If the Treasurer is serious about cutting his spending will he investigate how many of these little gadgets were given out to civil servants in the province, how much they cost the government of Ontario and why we had to cross the border shop all the way to Shanghai, China, to buy them to give out as little gifts? When are we going to stop this kind of nonsense in government spending?

1430

Hon Mr Laughren: I will do as the member has requested and see how many of those were distributed and whether they were distributed across the province or just in the riding of Nipissing. I am not sure of that. I am not drawing any conclusions on that. I can tell the member that I do not doubt there are areas such as this where money could be saved. When I was thinking over the weekend

about this whole problem of where we can save money, having followed so closely the final negotiations on the sale of the SkyDome, I became increasingly agitated. My finger became white heat when I thought of the Tories having negotiated that deal in the first place. They helped put us in this position and now they are criticizing us for being there. Those are the facts.

Mr Harris: My party takes no credit for Chuck Magwood and the overruns on the Dome and for the mess I admit this government inherited.

Mr Sterling: Or Don Smith.

Mr Harris: We take no credit for Don Smith, Chuck Magwood and the construction of the Dome. Let's be very clear on that.

My second question is also to the Treasurer. When the Treasurer brought out his budget, the nine other provinces brought in restraint programs. The Treasurer said: "No, we know better than all the other treasurers. We're going on a spending spree."

Today we find out that the nine other provinces are having a reduction in their unemployment levels. The nine other provinces that bit the bullet a year ago and started to restrain government expenditures—in fact, many of them reduced their deficits—are seeing a return on that investment. But what are we seeing as a result of the Treasurer's budget here in Ontario? We are seeing rising unemployment, loss of investor confidence and more people hungry and out of work.

There is obviously, it appears to me and most observers in this province, a hole in the bottom of the Treasurer's bucket. He tried to patch it last month with a reallocation. That has not worked, so now he is going to try again, tomorrow, to patch it. Instead of continuing with his patchwork approach, will the Treasurer not agree that his budget last spring was inappropriate, was out of step, was heading in the wrong direction and was part of the problem creating the disaster, and will he sit down and bring in a whole new budget for this province?

Hon Mr Laughren: I remain convinced today as much as I was in the spring that at a time when Ontario was slipping into a very serious recession what was needed was exactly what we did. We put into place an anti-recession package that created 14,000 jobs, and when we add the local component, it is probably up to 20,000 jobs. I know the member opposite would have liked to have seen us add another 20,000 or some such number to the unemployment rolls by laying off civil servants. I do not know; he has never given us a number. I think for us to have simply made the recession worse with a severe restraint budget last spring would have been exactly the opposite of what this province needed at that time.

Mr Harris: It was the exact opposite of the nine other treasurers in the nine other provinces. They are all doing better than we are, but the Treasurer is convinced he is right. He is the only one in the province who is convinced of that. The Treasurer talks about creating 14,000 jobs with a \$10-billion deficit. We have lost 260,000 private sector jobs in this province and we have 1.3 million people now on social assistance. What is he doing and what is he

talking about? His big feature seems to be new labour legislation. This is what he is bringing labour and business together to discuss. Will the Treasurer tell us how many new jobs he thinks will be created by the new labour legislation he is working on with his government?

Hon Mr Laughren: In his preamble the member opposite talked about other provinces versus this province. I ask the member opposite if he talked to Grant Devine when he was talking about his deficit for this year, or whether he talked to his good friend Bill Vander Zalm in British Columbia about the size of his deficit. For the member opposite to imply that this is the only province in Canada that has had fiscal problems is not true. Every province in this country has had fiscal problems.

What we have done consistently from day one is that we have not cooked the books. We have brought out the information as clearly and as openly as we can to share the problem with all the people in this province. That is not what the member's friends in other jurisdictions have done.

Mr Harris: If ever there is any government close to Bill Vander Zalm and Fantasyland, it is the Treasurer and this government. The question was, how many jobs is the Treasurer going to create with his new labour legislation? Studies suggest he is putting an additional 500,000 jobs at risk by proceeding with the labour plans the way he is. I think it is time he admitted the truth. It is not labour legislation; it is job destruction legislation and payback time to Bob White and the big unions.

Will the Treasurer, who should be concerned about jobs in this province and getting tax revenues back up again, fight in cabinet for the Minister of Labour to shelve his labour discussion paper before one more job is lost, and as my document *New Directions* suggests, bring labour, government and business together for meaningful discussions on competitiveness and why we cannot compete, and together work towards how we can work for more jobs, not arguing about whether they are union jobs or not?

Hon Mr Laughren: I have a very fundamental disagreement with the leader of the third party and his party. We do not believe the answer to the future prosperity of this province lies in driving down both the quality and the price of labour in Ontario. We have never believed that. The leader of the third party seems to think that if we cater to the lowest common denominator out there, our future will be secure. Nothing could be further from the truth. We are determined to engage in a process of economic renewal that will put emphasis on high value added, high-quality employment. That is exactly the direction we said we would go in when we brought down the budget and we are not deviating from that course of action, because I believe therein lies the future prosperity of this province.

ST MICHAEL'S HOSPITAL

Mrs Sullivan: My question is to the Treasurer, partly in his role as Treasurer and partly in his role as Deputy Premier. On November 7, as he knows, the report of the investigators on the quality of management and administration at St Michael's Hospital was released. That report put forward a number of recommendations to prevent a

recurrence of the \$63-million debt which developed at that hospital.

The recommendations clearly said that if St Michael's was to continue, substantially all of its debt must be eliminated and that to continue its debt would result in insolvency. The report also said that the ministry, the Sisters of St Joseph, the board and management must participate in eliminating that debt and recommended that the province participate, through an apportioned debt, and that the Ministry of Health accept responsibility for some \$24 million.

The Minister of Health and the Premier have said the government will not accept responsibility for the \$24 million over the five-year period recommended. That decision could indeed lead to the insolvency of the hospital. We are facing not only a financial crisis but a crisis of availability of and access to services.

1440

The Speaker: Could the honourable member place her question.

Mrs Sullivan: What protection will the Treasurer put in place to ensure that the services provided by St Michael's and its 129 outreach clinics are available—if not at St Michael's, then elsewhere—for those who need them, and what arrangements is he prepared to make to fund those services?

Hon Mr Laughren: The problem at St Michael's is a serious one and the \$63-million deficit is serious indeed. The Ministry of Health is prepared and has already started, I believe, to work with St Michael's in an attempt to manage that \$63-million deficit. I think the member for Halton Centre would agree—certainly if not with me, then with her colleague the member for York Centre—that we simply cannot go across the province bailing out every hospital that has a deficit. To be fair, the St Michael's deficit is substantially more than any other hospital's and is a very serious problem indeed. We are concerned about it and the Ministry of Health is working with the hospital to try to resolve it.

Mrs Sullivan: The question of the deficit is clearly an issue. The question of the services at the hospital and their availability to people in this community is very much an issue.

The other question raised in the report is that of governance and the appropriate role of the board of directors in bearing responsibility for the management of what is a publicly funded private hospital. That issue received extensive attention in the investigators' report. As a result of this crisis, the Sisters of St Joseph may seek to divest their ownership of St Michael's Hospital in a controlled and orderly way.

The option of moving from private ownership to a public hospital status has been exercised on other occasions. We know that option of moving was done at St Joseph's in London and St Francis in Smiths Falls with the help of the Ontario government, help not only from an encouragement point of view but with capital infusions as well. If the government is considering this option, this alternative for St Michael's Hospital, since it clearly is not going to go the "bailout route" even for the \$24 million that was asked for

and recommended in the report, what initiatives is the government going to take, including what capital commitments over the longer term, in the option of turning a private hospital over to the public sector?

Hon Mr Laughren: I think it is a serious question and a good question but I do not want to pre-empt any of the negotiations or the work that is going on between the Ministry of Health and St Michael's other than to say—I believe the member opposite would support this; I know the former Liberal Minister of Health used to say it when the Liberals were in government—that the hospital boards must be held accountable for their spending and that the government simply cannot bail them out when they have a deficit.

The last I saw, the cumulative deficits were in the neighbourhood of \$200 million. This government simply is not prepared to engage in a bailout process for all the hospitals that have deficits. We are simply not going to do it.

SKYDOME

Mr Stockwell: My question is to the Treasurer. This past week he announced the deal for SkyDome in Metropolitan Toronto and exactly how much the taxpayers are going to be fleeced for and the amount of money they will have to put up over the next 22 years in this debenture he announced. I understand the government received some \$110 million in cash from the partners who came forward.

I have been involved in this issue for some eight or nine years in Metropolitan Toronto. In my opinion, this is absolutely the worst deal the public has ever seen. I opposed it in the beginning, I opposed it in the middle and I oppose it at the end.

Can the Treasurer buy a little freedom with \$110 million? Is he going to apply it to the deficit that the Dome has incurred to date, some \$380 million, or is he going to take that \$110 million and put it in the general revenue account to try to maintain his \$9.7-billion debt?

Hon Mr Laughren: I am not sure I understand the difference in what the member for Etobicoke West is putting to me. I do not disagree with one of his sentiments that the whole arrangement with SkyDome and the province was outrageous from day one. The member is quoted as saying this is robbery without a gun. If there is no gun, I suggest it is because somebody destroyed the evidence when the original deal was signed by the Tories some years ago.

I know the member for Etobicoke West agrees with me that it was the wrong deal to sign in the first place. I believe the member also believes that when the official opposition was in government, it approved the additions to SkyDome that drove up the cost from the original estimate of \$184 million to well over \$500 million.

So in some aspects I agree with the member for Etobicoke West: It was a bad deal when it was signed, the Liberals made it worse and we are simply trying to stop the haemorrhaging on behalf of the taxpayers of this province.

Mr Stockwell: First, the question was, what is the Treasurer going to do with the \$110 million? If he cannot tell the difference between retiring the SkyDome debt and

he \$9.7 billion he has already incurred, then it is very clear he should not be Treasurer.

Second, since I have got to this place, I have written to the Treasurer, his staff and the Premier asking for the documentation so it may be reviewed. If they are not forthcoming, why is he hiding the deals and why will he not let the public see what they are paying for? This is the question that needs to be asked.

Why, when the minister was in opposition, was he calling for a full public inquiry into the cost of SkyDome? When he has been asked that question now that he is in government, he says it is not necessary.

The taxpayers have been fleeced. The costs having been covered up for so many years in the past by the Liberals, why is it that the Treasurer will not have a full public inquiry to ensure at least one thing, that this kind of debacle never happens again to the taxpayers of Ontario? Why not an inquiry?

Hon Mr Laughren: First of all, the calls for an inquiry came at a time when there were negotiations going on between the consortium and the province in attempting to find a way to sell the Dome. That would have been an appropriate time to have the inquiry.

I have not seen any indication, nor have I heard anybody accuse anyone of criminal wrongdoing in the arrangements. Once the deal has been completed, I do not think there is any reason why people would not want to show the books to people, assuming confidentiality is maintained for corporate competitive purposes.

The sale proceeds, the \$110 million cash and the roughly \$40 million to \$50 million net present value of the future debentures, which will total \$150 million or \$160 million, will be applied to reduction of the deficit, not to SkyDome itself. There has been some what I thought was very shabby reporting in one of the tabloids which indicated there was still debt and we would be making interest payments on SkyDome. That is simply not the case. Once this deal has been completed, we will not be continuing to make payments or pay interest on the debt.

LANDFILL SITES

Mr Wiseman: My question is to the Minister of the Environment.

Interjections.

The Speaker: Order. The member for Durham West will place his question.

Mr Wiseman: Every time I stand up the chorus enters into the fray.

The minister has said on numerous occasions in the House that we are in a waste crisis in the GTA and that in developing a total waste management strategy it would be irresponsible not to plan for a gap between when long-term sites are available and the closure of Britannia and Keele Valley.

In August she issued minister's orders requiring that municipalities conduct technical studies for lifts on Keele and Britannia and the construction of one or more transfer stations in Durham. Residents in my community have a right to be consulted. We were elected because

we promised to be open and honest. Could the minister tell us what kind of consultations have been done on these lifts and on transfer stations? When is she going to meet with the residents affected?

1450

Hon Mrs Grier: I appreciate the interest of the member for Durham West. I know that his interest in trying to resolve the waste management crisis within the greater Toronto area preceded by some years his election to this place, and his interest has continued.

I am happy to be able to tell the House that officials of my ministry and I are in continuous dialogue with the municipalities and the officials in Durham, Peel and north Metro and that, for example, when the region of Durham asked that, instead of having to implement my order to construct a transfer station, it be given some more time to consider alternatives, we of course agreed to allow the region to do that. This makes the point that minister's orders can be amended as circumstances change. It appears that perhaps some of the estimates and some of the time frames are changing, which is precisely what we are addressing on a regular basis.

My orders to all of the municipalities require that they initiate a public involvement program. I understand that Metro is beginning to do that with the municipality of Vaughan and the region of York, and people in those areas will be involved, will be consulted and will have an opportunity to give us their opinions about how we can prevent a very real crisis of garbage piling up in the streets of the greater Toronto area. That we cannot allow to happen.

NORTHERN HEALTH SERVICES

Mr Brown: I have a question for the Deputy Premier. I am concerned, as northerners are, with northern health care issues. We are concerned with what is going on with the oncology program at Laurentian. We are concerned about the loss of health care workers at Manitoulin Health Centre and Manitoulin Lodge, for example. We are concerned about many health care issues.

I know the Deputy Premier was in the Sudbury area last Friday meeting with a number of physicians and health care workers in the Sudbury area. They are concerned that one of their number, a specialist, Dr J. P. Donohue, announced that he is moving south. The Sudbury Medical Society tells us that this brain drain is to continue. We in the north are very concerned that we have appropriate specialists and enough specialists in the north. What is the Treasurer going to do not only to keep Dr Donohue in the Sudbury area, but to attract specialists to the area?

Hon Mr Laughren: The second part of the member's question is the most important part, because quite frankly it is not just one doctor. If one doctor decides that he or she is determined to leave northern Ontario, there is not much the government can do about that.

But I take very seriously the question of the provision of medical services in northern Ontario, in particular some specialties. The problem came about when we brought in the \$400,000 threshold. It says that once a doctor bills more than \$400,000, he or she can only get reimbursed to the tune of two thirds between there and \$450,000 and one

third beyond \$450,000. It seemed to us that those were substantial billings and that they were not inappropriate. I still believe that.

To be very specific about the first part of the member for Algoma-Manitoulin's question, what has happened is that there is already a process being set up in which we are trying to arrange meetings soon with the Ontario Medical Association and the Sudbury Medical Society. I remind the member as well that since the threshold seems to be the problem, it is that same threshold that the Ontario Medical Association agreed to and signed with this province back in June of this year, so we have to involve not just the northern medical community but also the OMA.

Mr Brown: I appreciate the response. My problem is that I think the agreement that the OMA came to with the government of Ontario discriminates against northern doctors for a number of reasons that I think the Treasurer knows and that I am not going to get into right here and now.

The real issue is that the NDP, in its document that it brought before this House in 1990, called for a medical school in northern Ontario. They wanted a school to train and attract doctors. They specifically asked the Treasurer what he was going to do to attract physicians.

We want to know what happened to the medical school. We want to know what happened to the school of pharmacy. We want to know what happened to the other health professions that we are trying to attract to northern Ontario. These questions are not being addressed, and we are finding that the agreement that was struck between the province and the OMA has caused physicians to think about leaving northern Ontario.

We think that is the wrong direction. We think it is schizophrenic. I ask the Treasurer: What happened to the medical school? What happened to the school of pharmacy? What happened to attracting doctors to northern Ontario?

Hon Mr Laughren: I believe the member for Algoma-Manitoulin understands the pressures under which we find ourselves in funding these kinds of major new programs. I know he appreciates as well the massive infusion of money that went into Elliot Lake, despite our very major fiscal problems in the province.

I say to the member opposite that if the threshold of \$450,000 is causing a problem because of unique expenses by northern doctors, then that should be looked at as part of the agreement with the OMA. However, if we are going to contain the costs of medicare in this province in order to save medicare, we simply have to be very tough-minded when it comes to examining all the actions we take which will go some way to containing the costs of medicare. I can tell members that every single action we take to contain the cost of health care in this province will be met with resistance somewhere in the province. I think that is simply a given.

VIOLENCE AGAINST WOMEN

Mr Jackson: My question is for the Minister of Community and Social Services. At 5:30 this morning in the city of Burlington Mrs Kiveli Chadjiioannou was murdered. She

died of multiple stab wounds at the hands of her husband. She was 65 years of age.

The community of Burlington, like many communities in this province, is aware that over 11,000 women who are trying to escape domestic violence will be turned away from shelters in this province and will continue to be at risk because there is no room in these shelters for them.

The minister will be aware that every time a woman and her family are turned away they are at continuing risk. Some, like Kiveli Chadjiioannou this morning, will not make it as they try to flee those abusive situations. The minister would be aware, as the former director of the London Battered Women's Advocacy Clinic, how much at risk these women are and how much they are counting on her, as representative of her government, to speak up on their behalf.

Why is it that with that background and with that knowledge and that risk, the minister is not able to convince her government to expand the number of beds and shelters for abused women in this province?

Hon Mrs Boyd: I certainly am aware of the problem, as is our government, and deeply concerned. We increased the funding for programs against violence against women by 33% last year and made that funding permanent, not just a year-to-year initiative funding, which was the practice of the previous two governments.

We are very well aware that we need to be providing not only shelter services but the kind of preventive services, interventive counselling services and support services within the community that women need. There is no question in our minds that it is extremely difficult, not only for the women and children involved but for our communities, when we find it difficult to provide the full services that are required. We have certainly given our commitment this morning to the Ontario Association of Interval and Transition Houses, indeed to all our partners in community service in the area of wife assault, that we will continue our efforts to do this.

One of the really serious points that we have in this whole program is that it needs to be multifaceted. We cannot continue to simply concentrate on the shelter aspect. We need to have an integrated community approach that deals with all aspects of the problem. Even then, the unfortunate thing is that we may not be able to guarantee safety to every person however hard we try, although it is our commitment to continue those efforts.

1500

Mr Jackson: The question was not about the \$20 million the government pledged in May which it has still not released to the shelters in this province. My point is that my constituent who died this morning did not have access to a shelter. I am asking the question on behalf of the 11,000 women and children who are routinely turned away at shelters.

Again, I ask the minister about Halton Women's Place in Burlington. Both the member for Oakville South and I have been on the floor of the Legislature raising this issue for over a year with the government. What do we have to

now for it? The government gave an election promise. It was mentioned in the throne speech.

To the former Minister of Housing, we have a letter from Halton Women's Place which says they felt they had been misled by the government because they now know they are not eligible for funding.

To the former Minister of Community and Social Services, we have documented three letters from Halton Women's Place which her office lost. They could not find these letters.

Now the member for London Centre is the minister. Today at the Ontario Association of Interval and Transition Houses lobby session, the minister told them she was distressed with how long the process of getting money out of the government has become. Women and children are counting on the minister. Why can Bob White convince the cabinet to sell the Dome off for a song to Trevor Eyton, yet the minister cannot convince her cabinet to build a shelter for abused women and children in Burlington when such clear and tragic demand is being demonstrated?

Hon Mrs Boyd: The two situations are totally different. The situation in Halton is one where the community consultation agreed to on request by the shelter movement when the announcement of shelter funding was made in May has not yet taken place. I did indeed indicate that I was unhappy with the delays in that consultation, some of which are the responsibility of the Ministry of Community and Social Services, but some of which are also the responsibility of the community. It is hard for a community to make an integrated approach in some cases, and some communities have found it harder than others.

We made a commitment that we would not simply dole out money but would do that according to principles set within the community. The consultation in Halton has taken a long time to get going. My understanding is that it is under way now. I can be quite frank with the member; I do not think the process of allocating these funds has been as speedy as I would like to see. My ministry is on notice about that and knows we need to improve in terms of the distribution of funds when they are available.

SKILLS TRAINING

Mr Sutherland: The issue of having adequate, skilled tradespeople in this province is an important one and is part of any government's agenda for economic renewal. My question is to the Minister of Skills Development and relates to the issue of apprenticeship. As many people are aware, there has been some indication that the minister will be announcing details of the consultation around the Ontario Training and Adjustment Board. Related to that, I would like to ask the minister if he can assure this House that the much-needed reforms in the area of apprenticeship will not be put on hold while the consultation process on the Ontario Training and Adjustment Board takes place.

Hon Mr Allen: Many people have asked me just this question, so it is a very current one. As we move towards the Ontario Training and Adjustment Board, it is true that those new structures and arrangements for training will take over responsibilities in the apprenticeship area, but I want to assure the member and all who are listening and

will hear this report that there will be no delay in the reform of apprenticeship in the interval.

In the course of the last year, I have had the director of the apprenticeship and client services branch busily working on laying the basis for new advances and reforms, and those are largely in place. The new director appointed within the last six months has been specifically mandated to carry forward a program of significant reform under a number of heads with respect to apprenticeship and he will be doing that.

Mr Sutherland: I am sure many people waiting to get into apprenticeship programs will be pleased to hear that. As members know, the minister in this House outlined details of the new Canada-Ontario labour force development agreement a few weeks ago. I wonder if the minister could please elaborate for us what specific benefits are in that agreement for the apprentices in this province.

Hon Mr Allen: I think the member knows, and perhaps other members of the House will know, that the agreement was to regulate the level and nature of the spending by the federal government on training in Ontario. Two particular problems in that agreement related to the issue of apprenticeship. The first had to do with the question of the cap that has existed on the funding provided by the federal government for apprenticeship. That had stayed at \$40 million for several years. We have been successful in the negotiations in securing the removal of that cap for apprenticeship training in Ontario.

Second, there had been a problem in providing dollars through the federal government to support the education part of the apprenticeship program. Those dollars will now be given in a more timely way and in a more effective fashion so that it will be possible for the program to provide the dollars to support those apprenticeship students appropriately.

INVESTIGATION INTO POLICE SHOOTING

Mr Curling: My question is to the Solicitor General, now that he is awake, who will be aware that approximately a week ago a youth was shot by a Metropolitan Toronto police officer. As a result of this shooting, the youth suffered serious injury and today remains in critical condition in a Toronto hospital. The Solicitor General will also be aware that this is a case where the Ontario special investigations unit is legally required to make an independent investigation of the circumstances around the shooting.

I do not know if members have been following it. In a media report it has come to our attention that the SIU is not conducting an independent investigation. In fact the director, John Osler, has admitted that the Metro Toronto police are carrying out a police investigation, in direct contravention of the Police Services Act.

I want to remind the Solicitor General, while he is responding to that question, of what the Premier said when he was an opposition member: "Why not seize the leadership that is required, understand that the independence of the review process is critical..." Can the Solicitor General explain why he is allowing Metro power of investigation? Under what authority is Metro conducting this investigation?

Hon Mr Pilkey: I would first like to point out that I fully support the special investigations unit and its mandate as an independent civilian body to investigate possible criminal actions by police officers that involve serious injury or death. I would also like to point out that this is an independent body. It is supposed to be independent not only of police interference but of political interference. I support the independence of the SIU and I do not intend to compromise that independence by directing the director, John Osler, in how he should be conducting his business.

I do however recognize that since the inception of the SIU by the previous Liberal government in August 1990, there have been a number of concerns raised by different segments of the community. I realize that the SIU has had some growing pains. There have been problems, but I think we should put this issue in perspective.

The SIU is a unique phenomenon, not only in Canada but also in the United States and even Europe. As far as I know, no other jurisdiction in these areas has an independent civilian body to investigate possible criminal actions by police involving death or serious injury. We are breaking new ground in this area and this government is 100% behind this idea. We can only expect, however—

The Speaker: Would the minister conclude his response, please.

1510

Hon Mr Pilkey: I am attempting to do so, but the question raised by the member is a very delicate one and requires, I think, a fairly definitive response. I can be finished very briefly, if you wish, Mr Speaker.

The Speaker: I realize it is a complex issue. Perhaps the minister could respond to the member either in writing or by placing information on the order paper or indeed by making a statement on another day.

PETITIONS

OATH OF ALLEGIANCE

Mr J. Wilson: I have a petition to the Legislature of Ontario that reads as follows:

"Whereas the Queen of Canada has long been a symbol of national unity for Canadians from all walks of life and from all ethnic backgrounds;

"Whereas the people of Canada are currently facing a constitutional crisis which could potentially result in the breakup of the federation and are in need of unifying symbols;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to restore the oath to the Queen for Ontario's police officers."

I have affixed my name to this petition. In addition, it is signed by a number of good people in the town of Stayner in my riding of Simcoe West.

HIGHWAY WIDENING

Mr Eves: Mr Speaker, I have a petition.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"A major source of frustrating and dangerous traffic jams, the Trans-Canada Highway from Waubesa to Honey Harbour must be widened immediately. The Ministry of Transportation's failure to meet its continually changing deadlines is unacceptable. We want a firm commitment to four-lane this stretch of Highway 69 by October 1992."

The petition is signed by some 66 residents in various parts of the province of Ontario, and I have affixed my signature thereto.

HIGHWAY RECONSTRUCTION

Mr Eves: I have a second petition.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We the undersigned beg leave to petition the Parliament of Ontario as follows:

"Petitioning for reconstruction of Highway 518 from Orrville to Highway 69: Help. Highway 518 sends greetings and an SOS."

This particular petition is signed by some 741 residents primarily, if not all, in my riding; just about every resident of the community of Orrville. I can personally attest to the deteriorating condition of this highway and have affixed my signature thereto.

REPORTS BY COMMITTEE

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Mr Kormos from the standing committee on resource development presented the committee's Report Under Standing Order 123 on Service Delivery at the Workers' Compensation Board and moved the adoption of its recommendations.

Mr Kormos: I want to first thank the people who participated in the committee. I am talking about Dan Waters, Ted Arnott, John Cleary, George Dadamo, Bob Huget, Leo Jordan, Paul Klopp, Sharon Murdock, Steve Offer, David Ramsay and Len Wood. Their participation as members of that committee was most valuable in arriving at these recommendations. As well, all of us should be grateful to the staff who co-operated and participated: Harold Brown, Lisa Freedman and Tannis Manikel as clerks, and of course, Lorraine Luski as research officer.

This report, which is available and which discusses service delivery at the Workers' Compensation Board, is a valuable critique, a good starting point for reforms. We should congratulate the WCB because it has undertaken its own review internally. I want to commend this to any of the listeners. It is available from any MPP's office. It is a matter of phoning or writing to any of the 130 MPPs constituency offices, and this report will be made available to interested persons.

People in injured workers' groups, industrial workers' trade unionists, among others, will undoubtedly be interested in reading this report and perhaps in communicating further with the government or members of the opposition as is their wish.

I want to thank the committee and I want to thank you, Mr Speaker, for letting me rise and speak, albeit briefly, to this most important matter.

Mr Runciman: He doesn't get too many opportunities these days.

Mr Kormos: It is a rare occasion that I speak in the Legislature. Again, unfortunately, it is unscripted and I appreciate that this in itself causes problems for some of us around here, but at this point I do want to move adjournment of the debate.

The Speaker: I did ask if you had a brief statement.

On motion by Mr Kormos, the debate was adjourned.

INTRODUCTION OF BILLS

HUMAN TISSUE GIFT AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT LA LOI SUR LE DON DE TISSUS HUMAINS

Mr Henderson moved first reading of Bill 153, An Act to amend the Human Tissue Gift Act / Projet de loi 153, Loi modifiant la Loi sur le don de tissus humain.

Motion agreed to.

Mr Henderson: This bill requires hospitals to seek consent from the family of a deceased patient to remove tissue from the body of the deceased for transplant purposes. The hospital is required to seek consent in all situations, except for certain situations which are set out in the bill, such as the transplantable tissue being unsuitable or not needed, or the emotional or physical condition of the consentor making the request inappropriate. Virtually identical legislation is being passed elsewhere with all-party agreement.

ORDERS OF THE DAY

JOHN GRAVES SIMCOE MEMORIAL FOUNDATION REPEAL ACT, 1991

LOI DE 1991 ABROGEANT LA LOI INTITULÉE JOHN GRAVES SIMCOE MEMORIAL FOUNDATION ACT

Mrs Haslam moved second reading of Bill 73, An Act to repeal The John Graves Simcoe Memorial Foundation Act, 1965 / Projet de loi 73, Loi portant abrogation de la loi intitulée The John Graves Simcoe Memorial Foundation Act, 1965.

Hon Mrs Haslam: The Ontario Heritage Foundation assumed responsibility for preserving the burial place of John Graves Simcoe and his wife in 1982, when title to their burial place, Wolford Chapel in Devon, England, was transferred to the foundation. The John Graves Simcoe Memorial Foundation Act is now unnecessary legislation and the repeal of the act is a housekeeping matter.

1520

Mrs Y. O'Neill: I want to take this opportunity to put into Hansard some recollections that we in the Liberal Party have of this outstanding contributor to the history of Ontario.

No one in Ontario can but be touched by the memory of John Graves Simcoe, first Lieutenant Governor of

Upper Canada. John Graves Simcoe was born in 1752 at Cotterstock in England and died at the relatively young age of 54. He was commander of the Queen's Rangers in the American Revolution and arrived in what is now Ontario at the age of 40 to take up his duties in granting land to United Empire Loyalists, fugitives from the American Revolution.

John Graves Simcoe was confident of the loyalty of these American settlers in Ontario and knew that they were his best hope for the rapid growth Ontario so badly needed at that time. He saw southwestern Ontario as the future centre of the province and even foresaw it as the hub of Canadian trade with the interior of the continent. He founded the city that is now Toronto, intending it to be a temporary capital for Upper Canada, and designed our road system.

John Graves Simcoe was a man of remarkable insight and foresight. He systematically set about to make Upper Canada an example of his excellence and the creativity of British institutions. Among his many achievements, he appointed county lieutenants, introduced a court of king's bench and declared slavery illegal. These are all significant achievements and historical traditions that we have built upon.

He defeated efforts to introduce some American customs into Canadian government, was instrumental in setting up the municipal government system in Ontario and helped to found what is now the University of Toronto. His roadbuilding projects included Yonge and Dundas streets, and Lake Simcoe is named after his father, an honour he wished to personally bestow on that man.

He left the colony at the age of 44 to become governor of what is now the Dominican Republic, and became commander-in-chief for India in 1806, just before his death.

I provide this brief autobiographical review to illustrate what a crucial role John Graves Simcoe played in the early history of our province, and to help Ontarians recognize that the repeal of the John Graves Simcoe Memorial Foundation Act is not a bit of trivial history, but a rather significant and in some ways sad moment in the evolving historical awareness of our province.

Only two and a half hours by train from London, England, lies a piece of soil that the descendants of John Graves Simcoe insist belongs to Canada. That small cemetery in Devon contains the remains of John Graves Simcoe and is proudly cared for by his great-great-grandson, William Powler.

Two years ago the chapel on that site was rededicated, having been restored by the Ontario Heritage Foundation. It is a small stone building in the lush countryside of Devon and was deeded to the province of Ontario in a ceremony in which the then Premier, John Robarts, participated in 1966. It has been maintained by this province and was well on the way to becoming a place of pilgrimage for historically minded Ontarians. Nona Macdonald, president of the John Graves Simcoe Association, pronounced the chapel to be one of the jewels of Simcoe's legacy. She pointed out that the house where Simcoe died some 15 years after he set out to live in a tent in what is now Ontario is now a symbol for us to honour.

While we support this bill, we must remind the government that the traditions that have been built by people such as John Graves Simcoe and the members of the memorial foundation, members of long standing who have devoted many volunteer hours to the effort of providing and protecting the history of this province, will be encouraged and will be financially supported through the Ontario Heritage Foundation.

The NDP government's short record of lack of attention to symbolism devoted to our historical partnership with England and the many settlers of British heritage must be improved. We saw throughout the recent visit of the Prince and Princess of Wales indications that Ontarians find inspiration in our long-standing historical heritage. I and many Ontarians cherish the memory of the founders of our province and its institutions. I trust that John Graves Simcoe and his legacy will continue to be appropriately honoured and the traditions of this province will continue to be supported.

Hon Mrs Haslam: I would like to reiterate what has been said and indicate that for 1989-90, we have an annual cost of keeping the Woford Chapel in good repair. We have actually allocated \$60,000 for the restoration of the chapel. Attendance in 1989 was some 850 people. We appreciate the comments and we will, in keeping with the Ontario Heritage Foundation, continue the upkeep of the chapel.

Mr McLean: I would like to participate in this debate because it appears to me that it is going to be the last time we will have the opportunity to talk at any length about John Graves Simcoe in this Legislature. I do not plan on going on at any length, because we support the change that is being made.

I want to bring to the attention of the members of this Legislature that back in 1989, I brought in a private member's bill, trying to get what was called a Heritage Day Act. It was to be thought of as the John Graves Simcoe one; it was after him that I brought this bill in. There are just a couple of paragraphs in the statement that I made at that time. It is very brief.

"I believe that if we celebrate a Heritage Day on the third Monday in February as a public holiday, we will be providing our citizens with an ideal opportunity to learn about their brothers and sisters who live next door, in the nearby community and adjoining townships who may have a different culture or heritage than themselves."

The reason I mention this is three of the municipalities in the county of Simcoe. John Graves Simcoe's wife had three dogs and the townships were named after those three dogs: Tiny, Tay and Flos. So there is a fair bit of heritage here and a lot of history.

"I cannot think of a better method of improving the multicultural composition of our society, of ending discrimination in employment practices or in renting affordable housing. Can members think of a better method for making each and every one of us more sensitive to the different traditions and values of our immigrant, ethnic or native brothers and sisters in this province?"

"But Heritage Day celebrations would not be restricted to only recognizing the role and accomplishments of the many diverse cultural groups in this province. The day could be used in a particular community to focus increased public attention on the role and many accomplishments of many individuals in the history of Ontario.

"For example, some communities may wish to acknowledge the many accomplishments and contributions of a man who was elected to the House of Commons in 1790 and appointed, on 12 September 1791, as the first Lieutenant Governor of Upper Canada. Of course, I am referring to John Graves Simcoe who convened the first Legislative Assembly in our province and established York, which we now call Toronto, as the capital of Ontario.

"That is only one example of a person who left his or her mark on our history," that is, when I refer to John Graves Simcoe.

I am sorry to say that we never got that Heritage Day Act through. I felt that we should have. The amount of history that this individual and his family have left to this province I hope will be in the records for ever, and that the John Graves Simcoe Memorial Foundation will continue to make sure the assets are looked after and that the repeal of The John Graves Simcoe Memorial Foundation Act, 1965, will formally give all duties and responsibilities for Woford Chapel to the Ontario Historical Society and will allow the two organizations to amalgamate.

I am pleased to have had the opportunity to speak just briefly on this Bill 73, An Act to Repeal The John Graves Simcoe Memorial Foundation Act.

Hon Mrs Haslam: I would like to reiterate that the Ontario Heritage Foundation, an agency of this government, has assumed ownership of Woford Chapel. It is an important tangible reminder of the British fact in Ontario's heritage. The Ontario Heritage Foundation will assume the ownership and will commit itself to its preservation. I would like to thank all those members who participated in the debate and in their support of this bill.

Motion agreed to.

Bill ordered for third reading.

LAW SOCIETY AMENDMENT ACT
(TEMPORARY MEMBERS), 1991
LOI DE 1991 MODIFIANT LA LOI
SUR LA SOCIÉTÉ DU BARREAU
(MEMBRES PROVISOIRES)

Mr Winninger, on behalf of Mr Hampton, moved third reading of Bill 75, An Act to amend the Law Society Act / Projet de loi 75, Loi portant modification de la Loi sur la Société du barreau.

Mr Winninger: The purpose of this bill is to allow exchange programs between crown counsel and crown attorneys in the employ of the Ministry of the Attorney General and lawyers from foreign jurisdictions. The bill permits the Law Society of Upper Canada, upon request of the Attorney General, to admit to the practice of law in Ontario lawyers who are not Canadian citizens or permanent residents.

This temporary membership carries with it all of the rights and responsibilities accorded to lawyers, save the right to vote in law society elections. This will enable the ministry to enhance its professional development programs by exposing Ontario government lawyers to the practice of law and public policy in other parts of the common law world.

In the long run, programs like these will result in higher calibre legal work being carried out on behalf of the people of Ontario.

Mr Chiarelli: Last week, I believe, there were three bills from the Ministry of the Attorney General in the House for second reading. Today, in the orders of the day, including Bill 75, which has just been moved for third reading, there are six bills from the Ministry of the Attorney General in the House.

I just want to repeat one of the points that I made last week. When one looks at these six bills that the House will be considering this afternoon, one cannot determine what the agenda of this government is for the administration of justice in Ontario. The bills represent an ad hoc accumulation of bills that make no organized sense whatsoever. A number of the bills are simply copies of bills which were introduced in the last Parliament by the then Attorney General.

I will be pointing out, as each bill comes up today, the ad hoc nature of the legislation which this government is bringing forward with respect to the administration of justice. In particular, I want to say that this bill is very poorly drafted, particularly when one reads the explanation the Attorney General gave in this House the week before last.

He indicated that the bill "is to allow exchange programs between crown counsel and crown attorneys in the employ of the Ministry of the Attorney General and lawyers from foreign jurisdictions." Well, of course, when one reads the bill and the explanatory note which is appended to the bill, it says nothing about an exchange program. It basically says:

"The purpose of the bill is to permit the admission of persons qualified to practise law outside Ontario as temporary members of the Law Society of Upper Canada. Temporary members are permitted to act as barristers and solicitors in the employ of the Attorney General for Ontario or, if appointed under the Crown Attorneys Act, as crown attorneys or assistant crown attorneys."

There is no restriction in this bill to exchange programs. There is no restriction in this bill to indicate that the purpose is to enhance the training or the quality of barristers and solicitors in the Ontario government. The purpose is quite broad, when one looks at the legislation. It in fact confers upon the ministries of the Attorney General and the Solicitor General special privilege when it comes to obtaining the services of barristers and solicitors from outside the province.

I suggested to the Attorney General last week that this is unfair and unequal in the sense that there are many large corporations in Ontario that have special legal needs, needs for special expert attention on various matters, and there is no reason why they ought not to be given the same rights and privileges as the Ministry of the Attorney General or the Ministry of the Solicitor General. They ought to

be able to apply to bring in temporary counsel for their own purposes and needs.

When I mentioned that to the Attorney General, he indicated that it seemed like a fair idea, but of course there is no indication that he will be bringing forward any amendments on this particular issue. I do believe the rationale that has been given here today and was given last week is not really what is represented in the bill itself.

Another comment I want to make with respect to this bill is that it really opens the door for the provincial government, almost at will, to retain lawyers from other provinces, for example, Manitoba, for its own purposes: to act as prosecutors or what have you. I pointed out last week that if they wanted senior counsel in the Ministry of the Attorney General or the Solicitor General's office, they could, as they have with other senior bureaucrats with particular political leanings, mainly NDP, import those into the Ontario ministries here to do the bidding of this particular government in a very political way.

I think if that abuse is possible, it raises particular concerns, because the legislation itself confers this right strictly on the government and not on other large legal employers such as large legal firms or corporations that have major legal involvement.

I do want to reiterate those points which I raised last week with the Attorney General. I think they are very significant.

The other point is that this particular little bill of one or two sections raises a very serious, major problem that we have in this country, and that is the problem of interprovincial trade and professional restrictions. What we see here is that we need a special bill to bring into the province, on a temporary basis through approval of the Law Society of Upper Canada, lawyers to do certain types of work.

When we take that particular requirement and expand it throughout the whole economy, we see that virtually every profession and trade is in the same position. The people from British Columbia or Newfoundland or New Brunswick cannot easily come to Ontario to practise their profession or trade. There are a lot of barriers to transprovincial professionals and trades. This is a major problem and it is afflicting this country as it never has in the past.

This government has done absolutely nothing to address the greater issue of interprovincial free trade. What it is doing is passing one narrow bill temporarily permitting lawyers from other provinces to come into Ontario—not only just to come into the province, but even restricting it to working for the provincial government.

This government is negligent in not addressing the major problem of interprovincial free trade. It continues to spin its wheels. The last government did something quite significant. The then Premier and the then Minister of Industry, Trade and Technology went to first ministers' conferences, went to various conferences and basically tried to get the other provinces to agree to interprovincial free trade.

I know I am digressing a bit from this particular bill, but I do want to say I think it is very narrow. The Attorney General had indicated he was prepared to amend it to

include in its coverage large law firms and perhaps corporations, and I certainly would recommend that the Ministry of the Attorney General do that. We will be voting for this legislation reluctantly, because it is so narrow and does not address the broader issues.

1540

Mr Harnick: I spoke about this bill at second reading stage. As I said then, I do not see anything sinister in this bill. It is a very straightforward bill which permits the exchange programs for crown attorneys.

I heard the remarks of my friend from the Liberal Party. I heard his concern, asking: What about other aspects of the profession? Why are these the only people who can get temporary calls to the bar?

My understanding is that lawyers come here all the time from other jurisdictions and that they can carry on a practice of consulting in commercial areas in conjunction with law firms that they may be doing business with on a commercial basis. They can be called to the bar for the purpose of pleading cases and they can request a special status to plead those cases in the courts. So this bill, although it only deals with crown attorneys, is not anything really different than we have had for a long time in Ontario.

The thing about the bill that concerns me is that once it is passed, I wonder if the Attorney General is going to have anything else to do for the balance of his term. I can see that on the orders of the day for today, every bill the Attorney General has presented to this Legislature is here for either second or third reading, and I do not see any indication that there is anything more to come.

Unfortunately—I will be speaking about this at greater length later—these bills do not really do anything in terms of solving the greater problems we have in the justice system in this province. They deal with very particular, narrow house-cleaning issues. They are bills that were drafted by the former Attorney General, the member for St George-St David, not anything that was initiated by this government. The Attorney General has yet to show us any legislation in any form that he intends to introduce. I just fear that when today is finished, the Attorney General probably will have nothing to do for the balance of his term.

His eagerness to get even these house-cleaning bills completed was suspect, because this simple little bill to allow programs for crown attorneys from this jurisdiction and other jurisdictions to exchange places for temporary periods of time came before this House on April 23, 1991. That was seven or eight months ago. I do not know why it has taken seven or eight months for this bill to complete three readings when everybody is essentially in favour of it. I am very suspicious that the Attorney General does not have any idea of where we are going once the Liberal legislation is passed. Even the passing of the legislation has taken a donkey's age.

I hope we can get this cleaned up. I hope eventually the Attorney General will favour us with some of his own legislation, start to look at the problems the justice system in this province has and start to try to solve those problems once the Liberal house-cleaning bills are completed.

Mr Chiarelli: I just want to underline the uncertainty being created in the legal profession in Ontario by this government's having no agenda. Just this weekend, for example, as the Ottawa Citizen reported, one of Ontario's top judges, Chief Justice Frank Callaghan, head of the Ontario Court (General Division), told a weekend conference of lawyers:

"There is a real, continuing danger of having in the province an entrenched court reform bureaucracy. Once it gets started, it can only justify its existence by bringing about further reforms, whether needed or not. It has proven very difficult over the past year to manage this court effectively when it is in a constant state of threat of fundamental change."

The Chief Justice is saying he does not know where this province is going in the administration of justice. He sees threats of reform but he sees no assurances. He really does not know where this government is bringing the administration of justice. I think that is a real damning indictment of this government. I want the parliamentary assistant to the Attorney General to bring this serious concern to the ministry's attention, because the government has not given a good, sound message as to where it is bringing the administration of justice in Ontario.

It is about time they did it. They have been in government for 14 or 15 months. The judge see threats of action and reform and has no idea where the government is going. I think it is time the Attorney General took heed.

The Deputy Speaker: I would like to remind the member that he did not reply to the comments made by the member for Willowdale.

Mr Harnick: I think we should get some of these done. The delay in dealing with matters that are simple and straightforward bothers me. Waiting seven months to deal with a piece of legislation that could have been dealt with in three days is something I cannot understand. It underlies the fact that the Attorney General has no direction. He has no idea what is important, he has no idea what is necessary now and he is fixated with dealing with simple little things that are taking in excess of seven months to complete, when the real job and the real problems are being avoided. I think we have to get these things done and encourage the Attorney General to get going, because we have problems that need solving.

Mr Winniger: I remind my friends in the House, as I said in my introductory remarks, that the bill permits the Law Society of Upper Canada, upon the request of the Attorney General, to admit to the practice of law in Ontario lawyers who are not Canadian citizens or permanent residents. I think what my friend the member for Ottawa West seems to be forgetting is that the law society is an independent, self-governing body. What we have done with this bill is allow the law society to retain control over who is admitted to the law society and when and on what terms they can practise, temporarily or permanently, in Ontario.

The Attorney General can only request that a foreign lawyer be admitted as part of the program. The Attorney General cannot mandate that, simply because of the

self-governing nature of the Law Society of Upper Canada. As suggested by the member for Ottawa West, corporations might ask to be admitted with foreign lawyers to this jurisdiction. Certainly the law society can deal with it. The breadth of this bill allows it.

I would also like to address an allegation made by the member for Ottawa West that this is a backhanded way of bringing in political lawyers from other jurisdictions. Certainly the law society retains the control in Ontario as to who can practise and on what terms. I think the member for Ottawa West, as a lawyer with some experience, I understand, who should understand these things, has simply forgotten the overarching authority the law society has in matters of who can practise in this province. I am certain the member for Ottawa West would be the first to protest if this government suddenly started determining what kind of standards of admission the Law Society of Upper Canada would exercise. The Attorney General only requests that these lawyers be admitted for these purposes, and the law society retains the control.

550

As I mentioned earlier, the purpose of this act is to facilitate the educational and professional enhancement for government lawyers. It is not a free trade scenario. It is not a proposal that should deal with industrial relations. This bill has a very narrow focus. I invite the member for Ottawa West to revisit what he said today in the House. In light of what I have said about the government's narrow focus in this bill, perhaps the member for Ottawa West will come to a full understanding that we are not dealing with free trade here, we are not dealing with industrial relations and we are not dealing with a political agenda. We simply want to enhance the experience, open doors and cross-fertilize in a manner that crown attorneys can only benefit from and which will enrich the manner in which they practise and carry out their professional duties.

I would also respond briefly to comments made by the member for Willowdale. He used the word "suspicious." He used the phrase "donkey's age." He talked about delay, he talked about avoidance. Certainly the bill that is presently being debated, Bill 75, was not unduly delayed and it certainly addresses some of the reforms the members have been asking for from the opposite side of the House.

In conclusion, I suggest the Attorney General is cognizant of many of the reforms that need to be made and he is driving forward this agenda in a very timely and effective manner.

Motion agreed to.

FRAUDULENT DEBTORS ARREST REPEAL ACT, 1991

LOI DE 1991 ABROGEANT LA LOI SUR L'ARRESTATION DES DÉBITEURS EN FUITE

Mr Winninger, on behalf of Mr Hampton, moved third reading of Bill 76, An Act to repeal the Fraudulent Debtors Arrest Act / Projet de loi 76, Loi portant abrogation de la Loi sur l'arrestation des débiteurs en fuite.

Mr Winninger: I am pleased to offer today for third reading An Act to repeal the Fraudulent Debtors Arrest Act. The Fraudulent Debtors Arrest Act has been part of

Ontario law in its present form since 1909. Its history can be traced back to pre-Confederation days when property rights were often viewed as more important than the civil rights of people.

This bill will remove from the statute book a method of arresting and imprisoning a citizen for civil debt which, outside the context of family law, is archaic. The creditors, lawyers and interest groups which the Ministry of the Attorney General consulted unanimously endorsed this bill. Fortunately the act is rarely used now that modern legal remedies which focus on the assets rather than the person of the debtor are available. When spouses are in default of their family support obligations, the remedies provided in other legislation, including the use of imprisonment in appropriate cases, will continue to be available.

The arbitrary arrest and imprisonment provisions provided in the Fraudulent Debtors Arrest Act can no longer be tolerated. I am pleased therefore to call on the House to vote for its repeal.

Mr Chiarelli: I note the parliamentary assistant to the Attorney General has basically quoted verbatim the minister's comments of November 5, 1991, in explaining what this bill is all about.

I made some comments when the Attorney General introduced this for second reading that what we are really doing here is getting rid of one of the remnants of debtors' prison, where people can be put in jail for non-payment of debts. Of course, it has not been used very much in recent years. The issue I raised last week is that people are still being put in jail for minor infractions such as parking tickets and other offences which are really not criminal but which carry fines. People are being put in jail for non-payment of fines.

When I raised this on November 5, the Attorney General said: "The member for Ottawa West asked...what are we doing to deal with issues of incarceration with respect to minor offences like municipal bylaws and the Highway Traffic Act, etc. I am happy to tell him that we have been working on this issue since early this year and we will be bringing forward some legislation, I hope, this fall if the schedule permits."

I am simply asking a question. There is a problem here of putting people in jail when they ought not to be in jail for non-payment of debts and parking fines. Why can the government not draft some kind of omnibus bill that deals with this issue on an overall basis? They are piecemeal and ad hoc in everything they do in the Ministry of the Attorney General. We have here a problem that is more prevalent—putting people in jail and incarcerating them for non-payment of fines—yet they abolish an old act that is hardly ever used any more. What they are really doing is underlining in a very significant way that they are doing everything on an ad hoc basis.

I urge the ministry to get its act together, look at major issues, deal with them together and not waste the time of the House by bringing them in piecemeal from time to time. Nobody objects to this bill; no one is going to object to a bill that rationalizes incarcerating people for non-payment of fines. The Attorney General should pull them together and do it in an organized, efficient manner for the

ministry, for the people of Ontario and for this Legislature. The government is just plain incompetent in how it is managing the public business. It should get on and do it in a better way.

We are going to vote in favour of this bill, but we should be voting for something that is more comprehensive and better thought out. The government should get its act together.

Mr Harnick: It is interesting that these bills are so straightforward that not a single member on the government side has risen during second or third reading of any of these bills and made any comments. That enforces my belief that there is no reason why these bills had to take seven months to pass through this Legislature.

This is another bill that first appeared here on April 23, 1991. It consists essentially of one section. The gist of that section is that the Fraudulent Debtors Arrest Act is repealed. I have no idea why this bill took seven months to pass through this Legislature. These bills are so straightforward that even the members on the government benches understand them and they do not have any comments. I do not know why these things take seven months. They are straightforward. There are no regulations that go with them. There is no administrative process that goes with these bills. There is no money the government has to spend in terms of implementing these programs. Yet they take seven months to get one single section through. I think it is probably because the Attorney General forgot he introduced these, it was so long ago. I am going to vote for this and I am delighted to see that we are going to get it off the plate of this assembly.

1600

Mr Winninger: I would just remind the member for Ottawa West that the act to repeal the Fraudulent Debtors Arrest Act is one that deals with civil debt, not criminal sanctions. We agree that in the criminal and quasi-criminal arena there may be problems with incarceration, but in the non-civil field more consideration is necessary due to its complexity.

Here the focus is a very narrow one and this bill simply repeals an archaic provision that leads to the arrest of fraudulent debtors, incarcerating the person instead of dealing with seizure of the property. It is time that this archaic provision, dating back to 1909, as I indicated earlier, be repealed and we deal with the collection of civil debts in a modern manner.

Motion agreed to.

House in committee of the whole.

ARBITRATION ACT, 1991 LOI DE 1991 SUR L'ARBITRAGE

Consideration of Bill 42, An Act to revise the Arbitrations Act / Projet de loi 42, Loi portant révision de la Loi sur l'arbitrage.

The Chair: Are there questions or amendments, and if so, to which section?

Mr Winninger: Mr Speaker, I was just going to ask whether staff might be permitted to enter the chamber to assist.

The Chair: Yes, certainly. We will wait.

I will ask the question again. Are there any questions, comments or amendments, and if so, to which sections of the bill?

Mr Winninger: I thought I would indicate that there are five amendments I propose to introduce today, dealing with sections 6, 29, 33, 35 and 45.

The Chair: Are there members who have any comments to any section? Shall sections 1 to 5, inclusive, carry?

Sections 1 to 5, inclusive, agreed to.

Section 6:

The Chair: Mr Winninger moves that section 6 of the bill be struck out and the following substituted:

"6. No court shall intervene in matters governed by this act, except for the following purposes, in accordance with this act:

"1. To assist the conducting of arbitrations.

"2. To ensure that arbitrations are conducted in accordance with arbitration agreements.

"3. To prevent unequal or unfair treatment of parties to arbitration agreements.

"4. To enforce awards."

Mr Winninger: This amendment is being introduced to amend the language in the Uniform Arbitration Act. Alberta has also added this language to its act to reinforce the general exclusion of the courts. Several lawyers in Ontario have found it desirable to ensure that court intervention is restricted to the purposes for which the act contemplates it.

Motion agreed to.

Section 6, as amended, agreed to.

Sections 7 to 28, inclusive, agreed to.

Section 29:

The Chair: Mr Winninger moves that subsection 29(1) be struck out and the following substituted:

"(1) A party may serve a person with a notice, issued by the arbitral tribunal, requiring the person to attend and give evidence at the arbitration at the time and place named in the notice."

Mr Winninger: In its present form the bill is not now clear on how a notice to attend is issued. I am talking about what is commonly known as a summons or subpoena. Such notices should come from the arbitrator.

Motion agreed to.

Section 29, as amended, agreed to.

Sections 30 to 32, inclusive, agreed to.

1610

Section 33:

The Chair: Mr Winninger moves that section 33 of the bill be struck out and the following substituted:

"33. The arbitral tribunal shall decide the dispute in accordance with the arbitration agreement and the contract, if any, under which the dispute arose, and may also take into account any applicable usages of trade."

Mr Chiarelli: I would like to ask the parliamentary assistant why the mandatory nature of taking into account applicable usages of the trade has been deleted and it has been put in on a discretionary basis. Certainly my inclination would be that if there are applicable usages of trade, it should be mandatory to take those into account rather than discretionary, and I wonder if the parliamentary assistant can tell me why that has been changed from mandatory to optional or discretionary. Could he perhaps give an example or two of why it would make a difference, having it optional rather than mandatory?

Mr Winninger: The arbitrator in this particular context is an independent one. Through the appointment process and the training for arbitrators, we expect that the arbitrator will, when appropriate and when necessary, refer to customary usages of trade. This is an element that is discretionary, not mandatory. If we were to make it mandatory, this would suggest that the arbitrator has a duty to search for such usages, which is not the intention of the bill at all.

Certainly if the parties give evidence of usages, and again, my friend the member for Ottawa West, as a former practising attorney, is well aware that so much of the basis for what an arbitrator decides is based on the evidence presented before him by the parties and/or their solicitors, we are not about to bind the hands of the arbitrator. He can certainly refer to the usages or customs of trade, if appropriate, and that is the intention of the bill.

The Chair: Are there any further questions or comments?

Mr Chiarelli: I think it is fair comment to ask the question I did, and I gather there was some sort of implied sense that it was a glib question or was not a serious question. In fact, the mandatory aspect of the applicability of usages of trade found itself into the bill in its original form. It cleared the experts in the Ministry of the Attorney General's office and it cleared the consultative process as to making it mandatory.

What the section says is that if there are applicable usages of trade, what happens? Should it be mandatory to take them into account or should it be optional? I think it is an open question, and I do not think the provision that says it should be optional imposes an obligation on any arbitrator to search into the existence of applicable usages of trade. If any are brought to his attention and if in fact they are usages of trade, then perhaps the original wording of the legislation is more appropriate, and that is that the arbitrator "shall" take them into account.

Mr Winninger: I would certainly never imply that a question put forward by my friend the member for Ottawa West might be a glib one. There may be situations where a contract or a collective agreement, or even in some cases a domestic agreement, such as a separation agreement, where the parties have elected to go to arbitration, may be unclear or ambiguous in some respect. That would be an appropriate occasion when an arbitrator would choose to refer to the customs or usages of trade.

But if in fact the terms and conditions of the contract or agreement or what have you are clear on their surface,

there may be no pressing reason to go to the customs or usages of trade and in fact it may be a waste of the arbitrator's time to do so. Certainly this section allows the arbitrator considerable latitude in coming to a decision as to whether he or she should invoke the usages of trade.

Motion agreed to.

Section 33, as amended, agreed to.

Section 34 agreed to.

Section 35:

The Chair: Mr Winninger moves that section 35 of the bill be struck out and the following substituted:

"35. The members of an arbitral tribunal shall not conduct any part of the arbitration as a mediation or a conciliation process or other similar process that might compromise or appear to compromise the arbitral tribunal's ability to decide the dispute impartially."

Mr Harnick: I have some concerns—I expressed them at second reading—about the arbitration process and the fact that you will often have situations where mediation or conciliation may become necessary during the course of an arbitration. If the arbitrator or the panel interjects in a particular way, it may well be able to facilitate settling a dispute. However, they have to be cognizant of the fact that this section exists and that the words are "shall not conduct any part of the arbitration as a mediation or conciliation process or other similar process."

My concern about this section is that it may well take some flexibility away from the arbitrator. However, I would like to emphasize that the section goes on to say "that might compromise or appear to compromise the arbitral tribunal's ability to decide the dispute impartially." I think it is very significant to put on the record that particular part of the section because I think one hopes that in interpreting this section, courts will look at those words and interpret them broadly, recognizing what they hope an arbitrator can accomplish and recognizing that flexibility may in fact be the best part of this process and should not be limited.

Where I do have some concern is over the fact that this section may well limit the flexibility of an arbitrator, but I think one has to read this section in conjunction with the words "that might compromise or appear to compromise." I think those are the very key words of the section.

Motion agreed to.

Section 35, as amended, agreed to.

Sections 36 to 44, inclusive, agreed to.

Section 45:

The Chair: Mr Winninger moves that subsection 45(1) of the bill be amended by adding at the beginning "If the arbitration agreement does not deal with appeals on questions of law."

Motion agreed to.

Section 45, as amended, agreed to.

Sections 46 to 60, inclusive, agreed to.

Bill, as amended, ordered to be reported.

On motion by Mrs Coppen, the committee of the whole House reported one bill with certain amendments.

1620

COURTS OF JUSTICE AMENDMENT ACT
(PAYMENTS TO SUPERNUMERARY JUDGES), 1991
LOI DE 1991 MODIFIANT LA LOI SUR LES
TRIBUNAUX JUDICIAIRES
(RÉMUNÉRATION DES JUGES SURNUMÉRAIRES)

Mr Winninger, on behalf of Mr Hampton, moved second reading of Bill 146, An Act to amend the Courts of Justice Act, 1984 in respect of Payments to Supernumerary Judges / Projet de loi 146, Loi modifiant la Loi de 1984 sur les tribunaux judiciaires en ce qui concerne la rémunération des juges surnuméraires.

Mr Winninger: This bill is part of our initiatives to eliminate unnecessary expenditures in the court system. The expenditure dealt with by this bill is the annual payment of \$3,000 by the province to judges of the Court of Appeal and the Ontario Court (General Division) who already receive a full salary from the federal government.

The payment used to cover services by those judges as members of boards and commissions, such as police commissions, but judges no longer serve on those boards because it would be viewed as incompatible with an independent and impartial judiciary to have them participate in the executive branch of government.

The payment also used to cover what was known as *persona designata* jurisdiction of judges, which meant that the Legislature required these judges to decide questions of fact and law not as members of their court but rather as arbitrators.

The Supreme Court of Canada, in a series of decisions in the 1970s and 1980s, so cut down the scope of *persona designata* jurisdiction as to make it almost meaningless. The original Courts of Justice Act, enacted in 1984, abolished *persona designata* jurisdiction entirely. The result is that the \$3,000 payment is still being made but for services that are no longer rendered by the federal judiciary in Ontario.

The previous government, in its 1989 amendments to the Courts of Justice Act, eliminated the \$3,000 payment for all future appointees. That amendment has been in place since September 1, 1990. The approach taken in that amendment, having it apply only to future appointees, has the virtue of not altering unilaterally the terms of employment of federal judges who took their appointment with the expectation that their salary would include \$3,000 from the province.

This bill adopts a similar approach. It eliminates the payment if and when a judge chooses to go supernumerary. A supernumerary judge is one who, at the age of 65, decides not to retire or continue on with a full workload until the age of 75 but rather to work with a reduced schedule. The decision is entirely up to the judge of course. Supernumerary judges continue to receive their federal salary but under this bill they will lose the additional payment from the province.

In proposing this legislation, we have consulted the chief justices of the two affected courts and have secured their concurrence in our approach. We have also touched

base with the federal Department of Justice, which has encouraged us to remove the \$3,000 provincial payment.

It is our intention to proclaim the bill in force on January 1, 1992, in order to catch the next quarterly instalment of the annual payment.

Mr Harnick: I have some reservations about this act. The reason I have reservations is because judges who are still working and who elect to continue to work as judges are now receiving different remuneration than other judges who are working.

If a judge decides to become supernumerary and continues working, why should he have the \$3,000 stipend removed from his salary when other judges are receiving that \$3,000 stipend? Perhaps there are other ways the government could look at this. If the supernumerary judge is not working on a full-time basis, the government can pro-rate that amount of money, but the fact is that judge is still working and I happen to know at first hand that a great many supernumerary judges work full-time. Why should they be treated differently than any of their brother judges?

I think the way this bill has been proposed, it is very much a slap in the face to those judges who continue to work and who continue to help with the backlogs the courts have. If these judges did not elect to go supernumerary, it would mean that the actual number of judges hearing cases would be very much reduced in this province.

What we have in this province now are judges who have the option to become supernumerary judges. By becoming supernumerary judges they continue hearing cases yet the federal government is then permitted to, and in fact does, appoint additional judges for the court. I think we have to encourage judges to opt to become supernumeraries.

Mr Winninger: Certainly the member for Willowdale has, on other occasions, indicated his concern with the expenditure of the public purse. I thought the member would applaud fiscal restraint of this kind.

The election to go supernumerary means an electing on the part of the supernumerary judge, as I said earlier, to work less than other judges, usually one half to two thirds of the regular workload. For this the supernumerary judge continues to collect a full federal salary, no less than \$147,800. Surely the member for Willowdale is not suggesting that these supernumerary judges would be deterred from doing this kind of noble work merely because \$3,000 supplementary no longer is paid.

As I indicated during my opening remarks, this initiative is taken with the concurrence of the chief justices of both of the affected courts and, I presume, with the concurrence of their junior judges.

Mr Chiarelli: Our party is going to vote against this particular bill because it feels there is an inherent unfairness to it. It is a type of unfairness that we have seen in other legislation which has been brought forward by this government. In effect, this legislation is retroactive. What it says to judges who have been appointed over the years who thought they were entering into what amounted to a *de facto* contract so that they could plan on a remuneration which included this \$3,000, is: "All you judges who accepted your appointments on that basis"—which I would

all a contractual basis—"that contract has been broken by the government with this piece of legislation. It is retroactive."

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I could support and our party could support a bill which said, "You newly appointed judges will know that you are not going to get that \$3,000 when you become supernumerary." However, this legislation is retroactive. It is saying to judges who accepted their appointments on the basis of this \$3,000: "You ain't going to get it any more. We've changed our mind. We're cutting it out. We have this rational reason."

There are two classes of people in this province. There is a class of people for whom this government legislates retroactively, whom this government considers the "ins," whether they are landlords, whether they are directors of companies, whether they are judges. They are the big, rich people whom we can do bad legislation for retroactively. If it is for the little person, we do not retroactively legislate.

The issue is not whether a judge makes \$130,000 or \$140,000 a year. The issue is that they are breaking a contract through legislation. It is bad law; it is bad practice; it is unfair. If it is a unionized operation, they are treated with kid gloves. If it is not, they are treated with a heavy retroactive hand.

This government has to learn that there are principles of fairness which affect everybody, including judges, landlords and directors of companies. It is a bad bill because it is retroactive. It is a disincentive for judges to continue hard work, judges who have contracted with the government for that \$3,000. This represents a breach of contract. They are saving, by my estimate, somewhere in the area of \$60,000 or \$70,000 a year in the Ministry of the Attorney General by doing this.

They are cutting the judges back by \$3,000. On the one hand, they gave 6% or 7% to public servants in Ontario, increasing by tens of millions of dollars a year their unionized employees, because they have got to be good to union employees. On the other hand, we look at a judge; they will retroactively give him or her a pay cut of \$3,000. Shame on this government for continuing to legislate retroactively.

The Acting Speaker (Mr Villeneuve): Questions and/or comments on the member for Ottawa West's participation? No questions and/or comments. Further debate on Bill 146? I see no further debate. The honourable parliamentary assistant and member for London South may want to wrap up.

Mr Winninger: The member for Ottawa West raises an interesting issue of retroactivity. I suggest to the member that this is not really an issue of retroactivity, as he suggests. We are dealing with justices who have not attained a supernumerary status yet. We are not taking anything away from justices who are currently supernumerary judges. They continue to benefit from the status quo.

However, what we are saying to justices who are not yet 65 is: "You have a choice. You can stay on full-time and continue, of course, to collect your full salary of \$147,800 a year or you may, for reasons of your own, choose to work less than full-time—half time or perhaps

two thirds of the normal workload—or if you wish, you can retire when you reach age 65." Any judge who is entitled to become a supernumerary judge is also entitled to retire with a full pension if she or he wishes.

We are not taking anything away from judges who are currently supernumerary. I would only add that the saving will gradually increase over the years to approximately \$600,000 a year after 20 years. This is a substantial saving to this government, and I would expect that given previous comments about fiscal restraint flowing from the members opposite, they would fully applaud this initiative.

Motion agreed to.

Bill ordered for third reading.

CLASS PROCEEDINGS ACT, 1990

LOI DE 1990 SUR LES RECOURS COLLECTIFS

Mr Winninger, on behalf of Mr Hampton, moved second reading of Bill 28, An Act respecting Class Proceedings / Projet de loi 28, Loi concernant les recours collectifs.

LAW SOCIETY AMENDMENT ACT (CLASS PROCEEDINGS FUNDING), 1990

Mr Winninger, on behalf of Mr Hampton, moved second reading of Bill 29, An Act to amend the Law Society Act to provide for Funding to Parties to Class Proceedings.

Mr Winninger: I am pleased to move second reading today actually of two bills, Bill 28 and Bill 29, which are companion bills that will greatly improve access to justice for the people of Ontario.

Bill 28, the Class Proceedings Act, and Bill 29, An Act to amend the Law Society Act to provide for Funding to Parties to Class Proceedings, between them create a sophisticated procedure for the litigation of complex cases concerning mass loss.

As the two bills go hand in hand, I propose to address them both in my opening remarks with respect to Bill 28. However, I look forward to receiving further comments from members upon second reading of both Bill 28 and Bill 29.

By way of background, I remind the members of the House of the origins of this legislation. In 1982, the Ontario Law Reform Commission released the most thorough report on the state of class action law in Canada and indeed the world. The research and recommendations contained in that report formed the basis of work by an advisory committee on class action reform established by the Attorney General's predecessor, the member for St George-St David.

The advisory committee on class action reform, which was a broadly representative group that included spokespersons for business, consumers, environmentalists, insurers and the legal profession, developed unanimous recommendations for reform in this area. Members will recall that a class action or a class proceeding is a special procedure that permits numerous individuals who have suffered a common wrong to seek redress in one law suit as a group rather than in numerous law suits as individuals.

In this day and age, when resources for new government initiatives are so scarce, a reform such as this is a

particularly welcome change. One of the primary goals of Bill 28 is to economize on the use of legal and judicial resources. With this procedure in place, many injured persons will be able to use one litigation vehicle to obtain compensation. We know the type of society we enjoy in Ontario is sometimes witness to incidents of mass loss. Ontario residents use an array of complex pharmaceutical and other products such as motor vehicles and carry on activities that often, if events go awry, threaten our very environment. It is precisely these cases of mass injury that will be well suited to treatment in a class proceeding.

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Concerns have been expressed in the past about the potential impact of the increased availability of class actions in Ontario. Fears have been voiced about opening the floodgates of litigation, increasing the use of our courts and facilitating litigation in what is considered to be an already overly litigious society. It is precisely these concerns that were addressed and resolved by the advisory committee that developed this legislation.

The procedure contained in these bills is a sophisticated one that treats plaintiffs and defendants fairly and with an even hand. I would like to take a moment to set out the highlights of this procedure for members of this House.

First of all, the class proceeding will include a step in which a judge will screen potential class proceedings according to a specific test. Members of the class who do not wish to participate in the class proceeding will have the opportunity to exclude themselves from, or opt out of, the proceeding.

The representative plaintiff will be required to ensure that class members obtain notice of the proceeding. Once certified by the court, the proceeding would continue in a manner similar to other civil litigation but with a number of significant differences, namely, that one judge will hear all motions up to the trial and the court will have the ability to make aggregate judgements in cases where the only issue is the assessment of damages for many individuals.

Normal cost rules for litigation will apply, but lawyers and their clients will be permitted to engage in special fee arrangements for such proceedings, subject, however, to the court having final control over all agreements with respect to fees and disbursements.

Another important feature of this procedure is the creation of a class proceeding fund. The Law Foundation of Ontario will endow a fund in the amount of \$500,000 which is designed to provide financial assistance to representative plaintiffs in class proceedings. It will provide representative plaintiffs with financial assistance for disbursements such as expert reports and notice to class members. Members across the House who have practised law will know how costly some of these disbursements can be at the initial stages. It will also indemnify a representative plaintiff who has been assisted by the fund in the event the proceeding is unsuccessful and the court has ordered the representative plaintiff to pay the defendant's costs.

This is a progressive means by which the traditional financial barriers to this type of litigation can be lowered to permit representative plaintiffs to come forward on behalf of a class of injured persons.

The Law Foundation of Ontario deserves a vote of thanks from the residents of Ontario for its generous contribution to this fund. This procedure would not be possible were it not for the financial assistance of the Law Foundation of Ontario. It is an unprecedented contribution that will not only make this particular procedure work, but will also demonstrate to the people of Ontario that the legal profession itself is anxious to see increased access to justice for injured persons.

In conclusion, the two bills I bring forward today for second reading on behalf of the Attorney General will make an important contribution to what I know is a goal shared by all members of this House: access to justice. I urge the members of this House to study the legislation closely and provide either the Attorney General or myself with their comments. I hope we can enact both bills quickly in order that the procedure is made available at the earliest possible date for those who must use our courts to seek compensation in situations of mass loss.

The Acting Speaker: Before we proceed with questions or comments on the parliamentary assistant's participation, I believe the parliamentary assistant has requested that we proceed simultaneously with Bill 28 and Bill 29. Do we have consent to proceed simultaneously?

Agreed to.

Mr Harnick: At this juncture, with the two minutes I believe I have, I am interested, because the parliamentary assistant has actually done something unprecedented by his government: He has actually thanked lawyers.

We have heard the Treasurer blame lawyers for all the ills of the auto insurance business. We have heard one government member after another talk about the lawyers ruining the justice system of this province. Now here they are at the other end accepting money the lawyers are giving to make this program work.

I would like to thank the parliamentary assistant for the magnanimous gesture he has made and the fact that he, among all the government members—I suspect he is probably the only one who recognizes the contribution the lawyers have made to the justice system in this province and particularly to facilitating the possibility for Bill 28 and Bill 29 to become realities.

Mr Winninger: I indicate very briefly that I suggest this government has the highest respect for the legal profession and in fact this assembly counts many members of that august law society within its ranks. I do not believe this is a precedent.

Mr McLean: What are you doing for farmers?

Mr Winninger: Certainly lawyers and farmers may have a lot in common, as suggested from one of the members opposite, in that they both may have difficult obstacles to surmount in their professions and have to deal with adversity on almost a daily basis.

I suggest this is indeed very progressive legislation that can be a beacon to other jurisdictions across Canada that do not already have class proceedings legislation. Certainly the inauguration of a fund of this kind to provide affirmative action for those people who perhaps in the past have been denied access to the courts is a very salutary development indeed.

Mr Chiarelli: Of course we will be supporting these bills, but I want to make several comments.

I was elected in 1987 and I was able to see in action the then critic for the Ministry of the Attorney General, the member for Rainy River, and rather suspected at the time that he had a secret desire, if he ever got into government, to be the parliamentary assistant to the Attorney General. I do not think he ever anticipated that he would become the Attorney General, because for the last 14 months in fact he has been acting like a parliamentary assistant to an Attorney General.

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In particular, we know that we are dealing this afternoon with the fifth and sixth bills from the Ministry of the Attorney General. Five and a half of those six bills were written by the previous Attorney General, the member for St George-St David; by the previous government. Since the ascent of the NDP to government and the ascent of the member for Rainy River to the position of Attorney General, he has really been carrying the member for St George-St David's old briefs, in the sense that he is following through on most of the legislation which the member for St George-St David introduced but did not have the time to complete.

If we look at Bill 28 and Bill 29, we see that they were introduced for first reading by this Attorney General on December 17, 1990. I ask, what could possibly have taken this Attorney General almost a full year to bring these bills forward? They are bills that were endorsed by all parties in the previous Legislature, endorsed by all stakeholders in the justice system as being desirable and good. In fact, it is as good to see the parliamentary assistant speak with such conviction on these bills. What an improvement they will be to the administration of justice. I think that is a compliment to the previous government and previous research that has been done in the justice system in Ontario.

Since we are talking simultaneously about Bill 28 and Bill 29, I also want to make a few comments about Bill 29 and the funding of parties to class proceedings. Again, it raises the issue of this government not dealing with issues on a comprehensive basis. In the last Parliament, the 34th Parliament, I moved an amendment to the Intervenor Funding Project Act to provide for intervenor funding for appropriate groups before the Ontario Municipal Board on major planning matters, and the NDP members in the last Parliament all voted and spoke in favour of that particular amendment. That amendment would give stakeholders in communities across the province the right to apply for intervenor funding on major matters, planning matters—and environmental matters, for that matter—before the Ontario Municipal Board, and in the last Parliament the NDP members supported that amendment.

That amendment was moved again in this Parliament, the identical amendment which the Minister of the Environment had supported previously and which the Minister of Financial Institutions, another member of the cabinet, had supported and spoken in favour of, and in this Parliament this government voted against that amendment. That amendment would have done in many ways exactly what Bill 29 does, that is, give additional access to people and provide means of funding—not provincial government money—of intervenors before the Ontario Municipal Board.

Once again, there is the issue of funding appropriate class groups before a court or the Ontario Municipal Board or tribunals. When the Minister of the Environment was in opposition, she moved intervenor funding for all boards and commissions. In fact, she and her government voted against supporting it only to the Ontario Municipal Board several months ago.

We are talking here about streamlining the process. We are talking about access not only to courts but to administrative tribunals. On the one hand, this government is trying to take credit for this bill which in fact was initiated by the previous government; on the other hand, it is voting against a very sensible amendment to the Intervenor Funding Project Act which would have given people in our communities much more access to the Ontario Municipal Board, which really is a semi-judicial body that acts very much like a court.

In conclusion, I want to say that we certainly support these two bills, which make a lot of sense in streamlining the judicial process. I am only sorry that, with respect to Bill 29, it was not married with the overall issue of providing intervenor funding on a much broader basis in Ontario society.

Mr Harnick: I want to begin by saying that we will be supporting these bills. I regret the fact that it has taken 11 months, almost to the day, to get these bills to second reading. They first appeared before this Legislature on December 17, 1990. I think it bears going back and seeing what has happened in terms of the justice system over the past year.

I remind you, Mr Chair, because I do not want you to think I am going to get off topic, as the parliamentary assistant so ably indicated, we are talking here about access to justice. This bill provides access to justice. I want to take a look back over the course of history in the last year to talk about what this government has done regarding access to justice. Since this bill arrived in this Legislature, we have seen the Askov case come and go, and 40,000 cases were dismissed from the primarily provincial courts in the last year. That is not what I call access to justice. That is what I call a travesty for the judicial system, a travesty for the law enforcement system and a travesty for victims.

What was the government's reaction to the fact that 40,000 cases had been denied access to justice? Their reaction was to quickly spend \$50 million and to try to resurrect the justice system in this province overnight. I think they have exhausted their budget in terms of access-to-justice legislation for the balance of this term. I think that more

and more every day because I see that now they are trying to reduce the budget of the Ministry of the Attorney General. They have spent \$50 million; they are now reducing their budget. There is nothing left to provide access to justice for the people of this province.

They spent \$50 million, but what has it done in terms of the city of Ottawa, for instance? I had a phone call from a crown attorney in Ottawa today. He said to me he had a case for me to read and provided me with a case, the Court of Appeal decision talking about Askov. I have it here somewhere among all these papers; I will probably find it when I am finished. But what this case enumerated was the fact that the city of Ottawa is approximately, person for person, the same size as the city of Winnipeg. The city of Winnipeg has 28 judges serving its provincial courts; the city of Ottawa has 10. That is why cases in the Ottawa jurisdiction continue to be tossed out of court. The government's knee-jerk reaction of quickly spending \$50 million has not solved the problems of the Askov case. The backlog was initially cleared, but the backlog is developing again in the city of Ottawa. I suspect that the city of Ottawa is not alone in that regard. Access to justice has been denied. It will continue to be denied because the government has blown the budget in terms of helping the people of this province in regard to access to justice.

1700

What other symptoms do we have? I think it is interesting. There is a judge by the name of David Cole who was appointed by this government after the Askov case, I believe. Judge Cole is a judge of the provincial court, and he sits in Scarborough. A year after the Askov case came out, he described what he thought it was like going to work. As he passes the gold bust of Elvis Presley that serves as his doorstep, the bearded judge says he feels like he is going into a sausage factory.

I think that if ever the Attorney General of this province should start to worry about the state of justice in this province, it is when one of his own appointments describes going to work as akin to going to a sausage factory. This judge must be saying to himself: "Why did I do this? I used to go out and practise law. I ran a practice and I helped people. Now I have moved from there, in being elevated to the bench, but in reality I have been elevated to the sausage factory." If that does not sound a warning to the Attorney General, if that does not shock the Attorney General, nothing will. But what do we see happening here? We see nothing happening by way of access to justice.

I also want to refer members to what the Chief Justice of Ontario says about the justice system in this province and what he says about access to justice.

An hon member: Who is that?

Mr Harnick: That is Mr Justice Callaghan. I am now quoting from the Toronto Star of July 17, 1991:

"Ontario's court system is a failure, the province's Chief Justice says.

"The main problem is that bureaucrats are funding and controlling the courts, Chief Justice Frank Callaghan said in a speech obtained by the Star.

"Judges as a group have lost their independence, he said. Callaghan says it's ludicrous that Attorney General Howard Hampton—the province's chief prosecutor—and his officials should be controlling the purse-strings of the legal system, courtroom space and judges' workloads.

"The result is that a person's right to a fair and speedy trial may be in trouble, he warned.

"Control of the courts should be taken away from the government and put in the hands of the judiciary, said Callaghan, Chief Justice of the Ontario Court (General Division).

"The integrity of the legal system does not depend solely on the integrity of each individual judge," he said. "It also depends on the ability of the citizen to come before the independent judge and receive his or her judgement.

"Should your opponent (the Attorney General) control your court system?" he asked litigation lawyers at a meeting of the Advocates' Society.

"Callaghan made his hard-hitting remarks in a speech after a society dinner in Toronto on June 20. He went on to criticize the province for putting a 'top-heavy bureaucracy with no legal experience in charge of hiring and firing courtroom staff, deciding how much money the court system should get, where cases should be heard and what hours the court should sit.

"In an interview yesterday, Hampton said some of Callaghan's concerns 'are worth talking about.'

For God's sake, this is the Chief Justice of the province saying the system of justice in this province is a failure and the Attorney General has the audacity to say that some of his concerns "are worth talking about." Where are we going? We are talking here about access to justice.

The article goes on to quote a Toronto criminal lawyer by the name of John Rosen. I can tell this House that I personally know John Rosen. I do not think there is a better criminal lawyer in this country. I do not think there is a person who knows the criminal justice system better than John Rosen does, and here he says that "anyone involved in the system" knows what Justice Callaghan is talking about.

"I think there's a lot of truth to what he says," Rosen said in an interview yesterday. "Can you believe in this day and age the court system is not on computer?" Rosen asked, offering an example of the government's ineptitude.

"Callaghan pointed to the way the Supreme Court of Canada is managed as a model. The Chief Justice of the Supreme Court appoints a registrar whose job it is to run the court. The registrar reports directly to Chief Justice Antonio Lamer."

I put it to this government that the legal profession knows what is going on. The lawyers who practise in the courts know what is going on and they know that access to justice in this province no longer exists. We have an Attorney General who is totally and completely out of touch with what is going on. Access to justice is something that the Attorney General pays lipservice to.

I would like to go on and relate some of the other symptoms of the fact that the justice system is breaking down and that there is no access to justice.

In the Small Claims Court, we have a situation where we have a \$3,000 maximum limit in Metropolitan Toronto

outside of Metropolitan Toronto we have a \$1,000 unit. That started out as an experiment. It started when the former Attorney General, Mr McMurtry, had a vision to expand the Small Claims Court. The Liberal government that followed that Conservative government never moved to change that system or to evaluate that experiment.

This government we now have completely ignores the small claims courts. They have now become part of the General Division of the Ontario Court of Justice, and the Attorney General stood in this Legislature and told me that he has no control. Well, he does have control. He can amend the Courts of Justice Act and he can create a Small Claims Court that will provide access for the citizens of this province.

We now have a Small Claims Court that has eight full-time judges. We used to have a Small Claims Court that had 13 judges. These judges do not even have judicial immunity. We have in excess of 2,000 cases a month being initiated in the small claims courts, yet the system is breaking down. The judges are not protected, the complement of judges is not complete, and we have an Attorney General who has stood in this Legislature and said he cannot do anything about it. I say to this House that the commitment of this government to access to justice is nothing more than lip service.

The same thing is true when we talk about the new Ontario Court of Justice. We have overworked judges in that court, and the civil courts are no longer operating with any efficiency whatsoever. Preliminary motions in the Ontario Court of Justice, or in the predecessor to the Ontario Court of Justice, the Supreme Court of Ontario, were handled by masters. The court then merged and became twice the size. The number of masters remains the same. The judges do not have time to hear the preliminary motions in the court. All the motions come before the masters. The masters do not have the manpower and they do not have the resources to be able to move the cases along. When the cases stall at the level of the masters, they cannot get on to trial. They tend to back up and the courts become clogged.

What did the Attorney General tell me when I asked him about this problem during question period? He said, "There's nothing I can do." With respect, he can amend the Courts of Justice Act. We gave third reading today to a bill that provided crown attorneys the opportunity to be involved in exchange programs here and in other jurisdictions. The Attorney General can bring in a bill amending the Courts of Justice Act and do the same thing; bring it before this Legislature and make the position of master of the Ontario Court of Justice a reality. He can appoint masters and we can get the civil cases out of the backlog that is clogging the whole court.

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We have other examples of this government's commitment to access to justice. Last week alone, 1,700 parking offences were dismissed by justices of the peace in night court because they had lists in excess of 200 cases to deal with and they could not in any possible way deal with lists that size. They had no choice; they dismissed the whole ticket.

This Attorney General, I suspect, has not set foot in a courtroom since the day he became the Attorney General to see what the state of justice is in this province. The fact that this is happening a year later and we have not seen any action by the Attorney General in these courts is indicative of the fact that access to justice means nothing to this government: not a single initiative by this government in a year and a half to provide access to justice for the public. I hope the Attorney General reads his newspaper because that is probably the only way he is going to realize what the problems are. He has absolutely no connection with the justice system otherwise.

We now see that legal aid is in jeopardy. All of a sudden the government is starting to wonder why legal aid numbers are skyrocketing. This is one of the most fundamental means of access to justice for the public offered in this province. I would think that legal aid, being the cornerstone of access to justice, would be something the Attorney General is intimately familiar with. He has been the Attorney General since September 1990.

Mr Winninger: October 1.

Mr Harnick: I stand corrected. I am advised by the parliamentary assistant that it was October 1, so he has bought himself three weeks in terms of my argument. It sure did not improve him any.

Legal aid is the cornerstone of access to justice in this province. To see that legal aid has been neglected by this government for over a year to the point where it is about to start making such radical changes that we may not have a legal aid program left in this province is appalling. The fact that they are consulting with people but not consulting with the lawyers who do the work within the legal aid system is frightening. The rumours abound.

What do we see coming out of the ministry? The spokesperson for the ministry, Rosemary Hnatiuk, says there is no need to panic. I suspect there is not a right-minded person in this province who is not prepared at this stage to start panicking when he or she watches the incompetence of this government in trying to deal with the justice system. It is positively pathetic.

Let's move on to the next area. I know I am going to have a great deal of time to speak about this later. We have an Attorney General who in an interview with the Lawyers Weekly in excess of a year ago talked about auto insurance and the very important need to restore access to the courts to innocent accident victims. We have heard what this government is going to do. They are going to take rights away from innocent accident victims. They are going to take them away from those who are most badly injured in order, in a camouflaged way, to say they have expanded the right of people to use the courts to claim for their damages when injured in a car accident. They are going to say that is access to justice: hurt those most badly hurt in order to pretend they have kept their promise.

The Attorney General spoke out a year ago. He said he was opposed to not giving innocent accident victims the right to bring actions in court for their damages. I hold the Attorney General to his statement. I hope he can stand up

and fight for access to justice for these people. I am not optimistic.

The other area the Attorney General talks about in terms of access to justice is his much-discussed support and custody orders enforcement bill. I have to be very frank. This SCOE bill was something we laboured on last January and February. It finally passed this Legislature. We were taunted by the Attorney General because he wanted it passed quickly. He felt it was not passed quickly enough. Is it up and running yet? It is not up and running. The reason it is not up and running is that the government is using the people who are owed money, the people who need access to justice most in this province, women and children, and deferring the implementation of the SCOE bill till next year so that it can meet financial obligations in the present budget that is before this House, that pathetic \$9.7-billion budget. They are using those people to try to reach their targets. I think every person on that side of the Legislature should be positively ashamed.

I will go on talking about access to justice. The Attorney General showed up a couple of weeks ago and told us the government was about to spend \$1 million to reach people who were in default on support payments to their spouses and their children. "We are now going to get into a \$1-million advertising campaign. If we advertise and spend the \$1 million, we are going to get those people to pay." Nothing could be more ludicrous. Those deadbeats are not going to pay. They are not paying now and they are not going to pay because they see an ad on television. That is not going to make them pay.

What is the effect of that \$1-million expenditure? I am now quoting from the Law Times dated October 21 to October 27, 1991:

"As well as saving money by delaying legal aid fee increases, the ministry has lopped off \$850,000 from the support and custody enforcement branch's budget. That amount was designated for hiring staff to start changes to the way support payments are collected and remitted. The plan involving deductions of support payments from paycheques was to have begun this year but has now been put off until after the start of the new fiscal year next April.

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"That cut is ironic, inasmuch as Hampton criticized former Attorney General Ian Scott for lax enforcement of the current support payment program. As well, Hampton's first bill after being appointed last year proposed the direct deduction plan.

"Lawyer Fran Kiteley, a well-respected family law lawyer, stated she was disappointed by the news, saying: 'It is a disaster trying to work and get any results from SCOE. From my perspective, they appear to be terribly overworked, and the \$850,000 that has now been lopped off their budget is \$850,000 so that they can hire people to chase the deadbeats who don't pay for their support, who don't meet their support obligations.'"

It is appalling, and at the same time, what is the Attorney General doing? He is spending \$1 million, and what is he doing with that \$1 million? He is putting ads on television to say to the deadbeats: "Pay up. Please, pay up." Is he kidding anybody? He is taking away \$850,000 so that

people can be hired to chase the deadbeats, and then he is spending \$1 million so that he can put ads on television to do public relations for his ministry and for himself. I think that is pathetic. It is shameful, and again, it shows that the Attorney General knows nothing about access to justice. He has no intention of implementing any programs related to access to justice, and the man does not know what he is doing. This whole ministry is breaking down.

I might add that when I pick up the Lawyers Weekly and I see articles about how the Attorney General and the deputy minister do not speak with one another, how they are fighting with one another, how they do not agree with one another, I wonder. Somebody had better start listening to somebody in that ministry, because the system of justice in this province is breaking down.

I suspect that save and except for probably having breakfast with the parliamentary assistant, the Attorney General does not speak to him either. I tell the Attorney General that he had better start to use the people who know what is going on and he had better start to rely on them. He cannot do it by himself, because what he is accomplishing by trying to do it by himself is absolutely nothing. He is taking this province in a backwards direction we will never recover from as far as the system of justice goes.

The other concern I have, and I raise it in terms of the context of access to justice, is that we now have to appoint a new assistant deputy minister. The Premier writes to the Attorney General and says "Hire Mr Code," because Clayton Ruby sent a letter to the Premier that said "Hire Mr Code." It is not the first time Clayton Ruby has directed the Premier in terms of the system of justice in this province. He had a scheme a while ago that was going to promote fast sentencing. That scheme never got off the ground, because when it was leaked to the public, the public was not happy about it.

Who is running the show in the Ministry of the Attorney General? Is it Clayton Ruby? Is it the Premier, who every now and then has to call the Attorney General to tell him to do something? Or is it the Attorney General?

I tell the Attorney General that he has a deputy minister who understands what the system of justice is all about. I should please let her tell him what to do and accept what she is telling him so that we do not go back 10 years or 20 years or 30 years. Maybe we should go back 10, 20 or 30 years, when we did not have the demand on the justice system, but surely this Attorney General is totally out of touch with what access to justice is all about.

The other concern I have about access to justice is that the people of my riding, the people of Willowdale in Metropolitan Toronto, have a real concern for what they see happening, for what they read about every single day in the newspapers. They have a concern that in the Metropolitan area we now have the statistics of murders and sexual assaults being given on a daily basis, much the same way as baseball scores. My constituents are concerned that their neighbourhoods are no longer safe to live in and that they are deteriorating with every day. They do not see the Attorney General doing anything to help maintain their communities and the safety and dignity of their lives.

What do they see? I will tell members what they see. They see a court system in disarray. They see a police force that is working overtime to try to keep the streets safe. They see a police force that lays criminal charges. They see criminals attending for trial, going in one door of the courthouse and almost 20 minutes later coming out the other door laughing at the system of justice. There is no longer any system of deterrence left in this province, and without that system of deterrence, my constituents are not safe in their neighbourhoods.

I do not see the Attorney General taking any steps whatsoever to deal with this problem. I have very grave concern for the safety of our neighbourhoods and I have very grave concern that the Attorney General is neglecting the important aspects of life in the Metro area.

The other area of access to justice—I remind you, Mr Speaker, that “access to justice” is the term used by the parliamentary assistant, and that is what this debate is all about—is, what about the victims of crime? What access do they have to justice? I will tell members what this government’s history has been in the last year.

Last February, the standing committee on administration of justice, at the behest of my party and the member for Burlington South, asked for and received 12 hours to debate in committee, pursuant to standing order 123, victims’ rights and what happens to victims who are harmed as a result of a crime occurring. The 12-hour schedule was prepared and witnesses were subpoenaed. They were prepared to attend and to tell the justice committee what they thought the government should be doing about the rights of victims of crime.

On the very day those hearings were supposed to start, what did the Attorney General do? He decided to have a private, closed conference dealing with victims’ rights. He invited all the same witnesses who were supposed to be at the justice committee to come and meet him in private. The effect of that was that he scuttled the whole opportunity to talk about victims’ rights in a public forum and to give the government some guidance about what it should be doing to protect victims of crime.

I remind members again, the context of how I look at this is that victims’ rights are very important at a time when crime is going up every day in the large area of Metro Toronto. To this date, I hear noises from the Attorney General periodically paying lipservice to victims’ rights, but I have not seen a single, solitary, concrete piece of legislation come from this government. This is a government, I might add, that in the past voted for a victims’ bill of rights. In fact, the NDP proposed a victims’ bill of rights when it was in opposition. But what did they do when the member for Burlington South, by way of a private member’s bill, brought a victims’ bill of rights before this Legislature? They voted against it. Where is their commitment to access to justice? They have no such commitment.

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It is in this milieu that Bills 28 and 29 finally appear before this Legislature again. It is interesting that in his opening remarks the parliamentary assistant tried to pretend this was an NDP government bill. Nothing could be further from the truth. They could not develop a piece of

legislation like this if their lives depended on it. This bill was purely and simply the result of the former Attorney General, the member for St George-St David.

Of interest about this bill is the fact that it was developed by the former Attorney General, not just by consulting. This bill was based not just on consultation but collaboration, something this government should learn, because every time it tries a piece of its own legislation—we have seen it in the labour relations field and we are going to see it again—it says, “We consulted widely.” Well, their definition of consulting is to make a decision and tell people about it afterwards but not ask for their input or opinion.

This bill should teach this government a lesson, and the lesson is that if it wants to get a good piece of legislation before this Legislature, it should not just consult after the fact but make people the real players. They should make those people whom they are consulting with the real players, part of a collaboration process. But this government will never do that, because it does not trust anybody. They only trust people who are within their own ranks. They only trust the big unions. They only trust NDP rank-and-file members. They do not trust anyone from outside their walls. That is why every single piece of legislation they have initiated has been a disaster. Every single piece of legislation they have initiated has had to be changed. I believe this government has no idea about the justice system in this province. They have no idea now, and with every day I am more and more sure that they are going in reverse.

I would like to add a couple of words about Bills 28 and 29. These bills in fact offer a form of access to justice. I recommend to the parliamentary assistant and to the Attorney General to read what the former Attorney General said in the Gazette. I will even provide them with the dates. It is the Gazette, published by the Law Society of Upper Canada, volume 24, number 1, dated March 1990.

The former Attorney General had no illusions about this bill being the be-all and end-all in terms of access to justice. Now I know, once this bill is passed, this government is going to take all the credit for it and is going to use this bill to tell everyone it really believes in access to justice. They are going to stand on every street corner in every town, village and city in this province taking bows for the bill and using it to show that they believe in access to justice. The member for St George-St David said that this bill is not a bill that the public was burning up about. He said quite frankly that it is a bill that will help access to justice in a very limited area. It is not an omnibus bill dealing with access to justice; it is a bill that deals with access to justice in terms of class proceedings.

I would just like to tell anybody who is watching this debate today that when the NDP members are standing on the street corners, taking bows and saying they believe in access to justice because they passed the bill of the member for St George-St David, please do not believe them. They do not believe in access to justice. They are sitting around watching the justice system deteriorate and now they are going to use this to try to say, “We really believe in access to justice.” They do not even know what access to justice is and they do not know what the court system,

the judicial system and the law enforcement system in this province entail, despite the fact that they have been the government since September 1990.

Just a word about this bill: It is a good bill. It provides a new system dealing with class action claims. Section 2 of the bill describes what a representative plaintiff is: one who commences proceedings on his or her own behalf and on behalf of members of a class. Under section 3, a defendant faced with two or more actions in which there are common issues can move to have the proceedings certified and a representative plaintiff named, thus eliminating a multiplicity of lawsuits that might have to be defended. Under section 4, any party to a proceeding against two or more defendants may at any stage move to certify the action as a class action. Under that section there will be a motion for certification which is mandatory. The plaintiff who wishes to be certified must move for an order certifying the action as a class proceeding. There is a low threshold test for certification directed to the economic and efficient use of the justice system.

I might add that the idea of certifying and having to show that there is a cause of action is a very important thing, because one of the things we hear when dealing with class action bills is that when this legislation is passed the courts will be running rampant with people trying to bring class actions and that this, in conjunction with contingency fees, is just going to cause an overwhelming surge in litigation in this province. That has not been the effect in the United States, where they have class action bills similar to this, and in the province of Quebec, which has a class action bill similar to this. I think the member for St George-St David, the former Attorney General, has understood quite well what the concerns were. The bill has the mechanisms to prevent that huge surge of litigation.

The bill also sets up a fund to help plaintiffs prosecute an action in so far as disbursements are concerned but not to pay for their legal fees. That is a very significant aspect of this bill. The bill also maintains the same cost provisions we have always had in this province in so far as the costs following the actual success or failure of the litigation are concerned. There is no question when one reads these bills that there is an attempt to bend over backwards to balance the needs of all the litigants—the plaintiffs and the defendants.

For that reason the former Attorney General is to be commended, because he has brought to this Legislature a bill that is significant within the limitations he himself set out. It is not the be-all and the end-all of access to justice, but it is a bill he can certainly be proud of. All the accolades for this bill are deserved by the member for St George-St David, the former Attorney General. This bill had nothing to do with the NDP government, other than the fact that it took it off the shelf and then took one year to bring it here, to get it through second reading. I think that speaks volumes.

I have nothing further to say about this bill at this time. I will be supporting the bill. My party will be supporting the bill. I think that in terms of access to justice, this government has a long way to go, and we had better see some initiatives soon, although I am not optimistic.

1740

The Acting Speaker: Are there questions and/or comments? Seeing none, would the parliamentary assistant have a few closing remarks?

Mr Winninger: The member for Willowdale has brought forward a whole litany of complaints about the justice system, and certainly this is not the forum nor the focus to deal with them in general.

Mr Harnick: On a point of order, Mr Speaker: I thought I heard you ask, before the summing up, whether anyone had any comments about my remarks. No one has any comments about my remarks and now we should be summing up this bill so that we can get it through second reading before the next Christmas comes and goes.

The Acting Speaker: It is not a point of order.

Mr Winninger: As a matter of fact, had I not been interrupted by the member for Willowdale, I would have proceeded to address one of the substantive issues he raised, and that is the one of access to legal aid. Certainly the demands on our legal aid funding will diminish when several individuals can pursue the same cause of action in the form of a class proceeding. Instead of having hundreds of individuals or thousands of individuals applying for legal aid assistance, under the provisions of this bill only one person need apply.

Because of the funding provisions that are contemplated under Bill 29, where a fund has been established to pay for some of these initial disbursements that are required to move forward a class action proceeding, there will no longer may be the same recourse to the severely circumscribed funding that legal aid is able to offer. What is new about this bill? It contemplates court-approved contingency fee arrangements that allow a plaintiff in a class action proceeding to move a case forward, to enter into arrangements with the lawyer which may, to some extent, be contingent on the ultimate success of that proceeding. Even if a plaintiff should lose, there is provision under the fund that is being created that an unsuccessful plaintiff can be indemnified by the fund. The reason that can operate smoothly is that a successful plaintiff will be required to pay back some of the proceeds of the litigation into the fund.

The member for Ottawa West, who has returned to the chamber, raised an interesting point earlier on. He suggested that this government was not paying attention to the issue of intervenor funding. The member for Ottawa West should know that the intervenor funding issue is under review by Professor William Bogart, whose report is expected in January 1992. Both the class proceedings fund and intervenor funding will increase access to justice, but this class proceedings legislation only deals with court actions. Intervenor funding is a matter for administrative tribunals and certainly it would not be appropriate to join it to this particular bill.

As I said, the issue of class proceedings is indeed a separate matter from intervenor funding. I note for those who are interested that there is a first annual conference organized in Quebec City dedicated to the memory of the distinguished former justice of the Supreme Court

Canada, Yves Pratte, also a former director of Air Canada following his retirement from the Supreme Court of Canada. This conference is devoted to class action law both in Ontario and Quebec. This conference, which is to be scheduled right here in Toronto next year, will investigate and examine areas of similarity between Quebec class action and Ontario law. This is an area that shows Quebec and Ontario have a great deal to learn from one another.

I would like to review very briefly the salient highlights of the proposed legislation. This is a procedural change; it is not substantive. It is a very sophisticated procedure.

Mr Chiarelli: On a point of order, Mr Speaker: What we are seeing here today is the parliamentary assistant filibustering his own bill, looking at the clock, trying to fill the time.

The Acting Speaker: Order, please. That is not a point of order.

Mr Winninger: This is a very sophisticated procedure, hitherto unprecedented in Ontario, that has taken a number of months to refine and to perfect. It has also taken a number of months to establish the fund that will enable class proceedings to move forward on the basis I have described.

Those members on the opposite side of the House who would complain about the delay certainly should be cognizant that this is flagship legislation. It has taken a number of months to carefully design. There is no reason why the members on the opposite side of the House should complain about delay. It is based on the unanimous recommendations of a broadly based advisory committee, as I said, business, environmentalists, consumers, insurers and lawyers.

Finally, I allude once again to the new cost provisions which are certainly precedent-setting, including the fund for disbursements which will no longer deter potential plaintiffs from initiating and proceeding with class action proceedings. There is a new provision that allows lawyers to charge a contingency fee, subject of course to judicial control. Finally, a plaintiff who may lose can be indemnified by the fund. As I said earlier, the plaintiff who wins must give a percentage of the proceeds back to the fund, so this will help to perpetuate the fund and allow other class action litigants access to justice as well.

In conclusion, the kind of enlargement of the access to justice called for by the members for Ottawa West and Willowdale and previously by the member for St George-St David, who deserves no small credit for his involvement in helping to design the contents of the bill, has now been met by the provisions of this legislation. On that note, I move that this bill be referred to the standing committee on administration of justice.

The Acting Speaker: We have dealt with Bills 28 and 29 simultaneously although they are two separate bills. We will have two separate questions.

Mr Winninger has moved second reading of Bill 28. Shall the motion carry?

Motion agreed to.

The Acting Speaker: Mr Winninger has moved second reading of Bill 29. Shall the motion carry?

Motion agreed to.

Bills ordered for standing committee on administration of justice.

The House adjourned at 1753.

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nson, Paul R. (Prince Edward-Lennox-South Hastings/Prince-Edward-Lennox-Hastings-Sud ND) parliamentary assistant to Minister of Revenue/Adjoint parlementaire du ministre du Revenu

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Legislative Assembly of Ontario

First Session, 35th Parliament

Official Report of Debates (Hansard)

Tuesday 19 November 1991

Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le mardi 19 novembre 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Numbering of Hansard

Effective with the opening of the Second Session of the 35th Parliament, Hansard issues and pages will once again be numbered on a sessional basis. Hansard numbering therefore will become consistent with Orders and Notices and Votes and Proceedings, and with other parliamentary publications throughout Canada.

For the last two years Hansard has been numbered according to the calendar year. Under this system, the numbering of issues and pages was restarted with the first issue in the calendar year, regardless of session or Parliament.

Under the new system, the sequence of numbering started in January 1991 will end with the final House and committee sittings of the present First Session. A new sequence will begin on the opening day of the Second Session, and each succeeding session, which will be issue 1 and begin with page 1. Committee reports likewise will be numbered from the first sitting of each committee in a parliamentary session.

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Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 325-7400.

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Avec le nouveau système, la numérotation commencée en janvier 1991 s'arrêtera à la dernière séance de la Chambre et des comités de l'actuelle première session. Une nouvelle série commencera le jour de l'ouverture de la deuxième session et des sessions suivantes : numéro 1 page 1. Les rapports des comités seront également numérotés à partir de la première séance de chaque comité pour une session parlementaire donnée.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 19 November 1991

The House met at 1330.
Prayers.

MEMBERS' STATEMENTS

UNEMPLOYMENT

Mr Cleary: While the Ministry of Labour currently lists 16 help centres in the province, I am concerned that eastern Ontario is not being serviced.

The Minister of Labour is aware that Cornwall and surrounding area has been exceptionally hard hit by the economic downturn. One local survey has indicated that 75% of the area's unemployed are between the ages of 45 and 64.

As the help centres, targeted at the older worker, offer services such as job placement, personal counselling, vocational testing, job training and contact with local industries, it is clear that Cornwall would be an obvious choice. In fact, a number of local residents have been attempting to secure a help centre for Cornwall for over two years.

I would like to take this opportunity to implore the Ministry of Labour to respond to the needs of eastern Ontario's unemployed workers and establish a permanent centre in the Cornwall area.

WASTE MANAGEMENT

Mr Cousens: Today we begin debate on Bill 143, an act respecting the management of waste in the greater Toronto area. It is another kind of act, an act of desperation by this government. They have promoted the 3Rs, which we all agree with—reduce, reuse, recycle—but let's talk about the 3Rs they have forgotten about.

Recovery: If only this government could understand that there are other ways of recovering energy from waste. Recycling is an option they have excluded and thrown out. They have ruled out other options that allow there to be a true recovery from waste such as we are seeing in Japan at garbage dumps.

Realism: What is the realistic time frame for this government to start to deal with the problems, the realism that deals with the cost of land in Metro versus the cost of land in Kirkland Lake, a willing host for garbage? What about the realism that has to do with really finding sites in the Metro area and in the regions around Metro?

How about rights? That is the third R. The first R is recovery, the second R is realism, and what about the rights of people in Ontario, where this act of desperation by this government is going to take away personal rights of people to their property rights? It is going to take away the rights of municipalities, which will lose the right to appeal. They will lose their rights under the Municipal Act. They will lose their rights under the Municipality of Metropolitan Toronto Act.

We are talking about the disappearance of fundamental rights and a government that needs to learn three new

things: recovery, realism and rights. It is high time they started to listen.

ALCOHOL AND DRUG TREATMENT

Mr Mammoliti: On behalf of the task group of parliamentary assistants, I have delivered to the minister responsible for the provincial anti-drug strategy a report entitled *Caring For Each Other: The People of Ontario Respond to Alcohol and Drug Treatment Problems*. The task group was formed to seek public response to the recommendations contained in the final report of the Advisory Committee on Drug Treatment: *A Vision for the '90s*.

Between February and April, we held forums in 13 communities across the province and received 275 submissions from concerned individuals, agencies and institutions. These people welcomed the recommendations of the Vision document. Many viewed it as a blueprint for change.

Our report of these consultations supports our government's recent announcement of a \$9.4-million expansion of addiction services in Ontario. As the report bears out, the public and the government are in agreement. The flow of a vast amount of money to for-profit health centres in the United States must be stemmed. At the same time, services in Ontario should be expanded, and can be, for much less than the cost of US care. Our government is committed to both.

The report also gives the government a tool for the future. It can help in our assessment of programs already announced and it can be used to assist further reforms as fiscal resources become available. Additionally, this report speaks to our government's commitment to public consultation.

We are pleased to share this report with members during Drug Awareness Week. We are hopeful this release will help bring greater attention to an issue that has a profound impact on our society.

HAZARDOUS WASTE

Mr McClelland: On November 7, I brought to the attention of the Minister of Energy the fact that a substance containing PCBs exceeding provincial guidelines had been disposed of in the Keele Valley landfill. The minister was given the certificate number and the date the material was transported through the streets of Toronto. Ministry of the Environment staff knew of the incident, as did the landfill managers.

The Minister of Energy told the House that the facts would be checked and that he would confer with his colleagues on this matter and take appropriate action with them. He ended his response with the following lofty statement: "Situations like this will not be tolerated in Ontario, if in fact that is the case."

It has been two weeks and there has been no indication that the government has done anything to address the fact that these PCBs are there and the threat that they are raising by being knowingly exposed to the environment. I

have raised this issue in the House again today because when it was raised earlier, neither the Minister of Natural Resources nor the Minister of the Environment was in the House, and I want to be sure that they are aware of the situation.

I remind the House that the waste water, runoff and leachate collection system is connected to the municipal sanitary sewer system, which has its ultimate outlet into Lake Ontario. I would remind the minister responsible for the GTA and the Minister of Natural Resources that Keele Valley is located at the head of the Don River.

It is nice to know that the Minister of Energy feels the situation should not be tolerated. The people of Ontario and members of this House want to know what has been done and what is going to be done.

1340

LABOUR LEGISLATION

Mr J. Wilson: Eleven days ago the Minister of Labour unveiled his proposed labour relations blueprint that will ultimately wipe out any hopes for Ontario to climb out of the current economic recession. Since the minister's announcement, I have received several inquiries from business people in my riding who are deeply concerned that this government either does not care or does not understand the extent to which Ontario's economic future is in jeopardy because of the NDP's plan to amend the Labour Relations Act.

Collingwood's industrial base has been devastated by this recession, and the minister's labour relations agenda will only serve to further imperil the town. One construction firm which has been in Collingwood for some 62 years doubts it will make it to year 63 if the Labour Relations Act is amended along the lines proposed by the government. The owner of this business writes:

"I could not believe that it was possible to make the Labour Relations Act worse, but this is incredible. If these recommendations are approved and another organizing attempt by another union was to be made on this company, I would have to very seriously consider whether or not to continue business in this province under your government."

If this Collingwood construction firm pulls up its stakes and moves to another jurisdiction, the government will have to explain to some 175 workers just exactly how its Labour Relations Act changes helped workers in Ontario.

This legislation will not help workers and it will not help employers. It will do nothing to improve business-labour relations in Ontario. The only investment it will generate is south of the border and in other provinces.

BASEBALL HALL OF FAME

Mr O'Connor: In the difficult times in which we find ourselves today, it is important to take note of the positive steps being taken by smaller communities in attempting to improve their situation.

I was very pleased to see it publicly announced recently that Stouffville is bidding for the Baseball Hall of Fame to be located in that town. Stouffville is an enthusiastic baseball town and would warmly welcome the many visitors the Baseball Hall of Fame would attract. Stouffville is very close to Toronto, where the Baseball Hall of

Fame is currently located. Space at the Stouffville Fitness Centre is now immediately available for occupation. Once the town has found a new site for municipal offices, the Baseball Hall of Fame would take over the current town offices, making the town square a focal point for the entire community.

The business community in Stouffville is very excited about the benefits this new tourist attraction offers. The Baseball Hall of Fame would offer a much-needed economic boost to the area and a great opportunity for the town to become more visible in the greater Toronto area.

I strongly support this bid for the Baseball Hall of Fame. I think it will add terrifically to the community. The community has terrific support for this, and I support it wholeheartedly.

ATTENDANCE OF PREMIER

Mr Daigeler: Mr Speaker, do you believe the members for York South, as opposition leader, would have tolerated the Premier's absence from the province for more than two weeks while Parliament was in session? By now he would have had several fits of apoplexy at this unprecedented snub of the Legislature.

Ostensibly the Premier is overseas drumming up business for Ontario—and the Deputy Premier better listen. I have no problem with that, yet he could have easily done that during constituency week. Why did the Premier fail to return today? Is he afraid to face the House at Queen's Park because he cannot boost business right here in Ontario?

What is keeping business away from Ontario is the Premier's own misguided priorities. With his labour and rent control reforms, he is making life miserable for employers and investors. Rather than reduce government regulations and the tax burden, he plans to increase unilaterally the power of unions and to halt rental construction through his cap on capital cost allowances.

It is time for the Premier to face the music at Queen's Park, lest the voters play him a very disagreeable tune at the next election.

JOHN COUCH

Mrs Witmer: Remembrance Day ceremonies in my community took on a special relevance and significance this year. This year the men, women and children in Kitchener-Waterloo took time not only to remember those who had died defending their country in war but also to pay tribute to the courage and self-sacrifice of a native son, Captain John Couch, whose heroic efforts to help those who survived the crash of his Hercules transport plane in the high Arctic resulted in the supreme sacrifice, his own tragic death.

Captain Couch died of exposure to the Arctic cold after working feverishly for about 24 hours to help those who had been injured. The fact that 13 of the 18 people aboard the flight survived is due in no small part to Captain Couch's valiant efforts. To help ensure we never forget his self-sacrifice and concern for others, the Waterloo branch of the Royal Canadian Legion will provide a \$600 bursa-

each year from its poppy fund to Captain Couch's high school, Bluevale Collegiate Institute in Waterloo.

At this time, on behalf of the members of this House, I would like to extend our sincere sympathy and our condolences to Captain Couch's widow, Carol, to his daughters, Melissa and Rebecca, and to the other members of his family. As Canon Ladds said in his homily at the funeral: John was always the kind to put people first.... The example of his heroic courage will remain as a legacy."

SHELTER FOR WOMEN

Mr Winninger: I rise in the House today to recognize the work of the Atênlos Native Family Violence Services in London, Ontario. This recognition is particularly appropriate since November is Wife Assault Prevention Month, and the work of Atênlos in building a caring community to help with wife assault among first nation peoples is year-round.

Yesterday the Ontario Association of Interval and Transition Houses identified housing for battered women as a primary need. It stressed that shelters should be administered at the grass-roots level: run by women who are survivors of family violence.

Atênlos currently provides confidential crisis and support counselling to first nations people in the London area, 80% of whom have been emotionally, physically or verbally abused. This coming spring in the riding of London South, Atênlos will officially open London's first seven-day native women's shelter. Some 14 to 18 native women and children will receive and build the support they need. The Ministry of Community and Social Services will contribute substantially to the operating cost of this shelter.

We often talk about native self-government within a constitutional context. It is also appropriate to see urban native people providing a place of refuge for urban native women as an act of self-government. I laud this initiative and urge the support of all parties in recognizing the need for grass-roots native family violence services in responding to the distinct needs and safety issues of native women and children.

Mrs Caplan: I rise today on a point of personal privilege and I would ask that the Speaker intervene to secure an apology for me.

Shortly before members' statements began, the Minister of Health made a statement in the press gallery that the former minister had made a decision, although not communicated, regarding a request from Hemophilia Ontario. The minister neither discussed this with me prior to her statement nor had any way of knowing what had taken place. She was incorrect and I request an apology.

The Speaker: That is not a point of privilege.

VISITOR

The Speaker: I invite all members to welcome to our midst this afternoon the former member for Ottawa Centre, Mr Richard Patten, seated in the members' gallery next.

STATEMENTS BY THE MINISTRY

TAX REVENUES

Hon Mr Laughren: Last week, the province was informed by the federal government of a decline in personal income tax revenues estimated at about \$2.1 billion, most of which occurred in the 1990 tax year. Because we are eligible for various federal adjustments, we must make up a net loss of \$670 million in this fiscal year. This afternoon I am providing the people of Ontario with details on the actions we are taking to manage this change in our revenue picture.

This revenue loss is yet another example of the price we are paying for the recession with its plant closings, job losses and overall weak economic performance. The recession Ontario experienced has been aggravated by federal government fiscal and economic policy. Our revenue shortfall demonstrates that its effects are deeper than we anticipated, with the result that they will be felt for quite some time to come.

Interjections.

1350

The Speaker: Order.

Hon Mr Laughren: I know the Conservative opposition does not like any references to its federal counterparts, but it is unavoidable.

Mr Cousens: Don't talk about the feds.

Hon Mr Laughren: I will not talk about them. I will try to avoid mentioning the member's federal cousins.

Instead of implementing policies to counter the recession, the federal government clung to a high dollar and a high real interest rate policy which deepened and prolonged the recession and its effects on people, businesses and governments. This legacy, combined with free trade and the GST, weakened consumer and business confidence when the opposite was needed.

The recession hit Ontario hardest. We have absorbed more than 80% of all recession-related job losses in Canada. As a result, more than one million Ontarians are now on social assistance. This number is expected to grow another 20% next year, in part because of reduced unemployment insurance benefits.

The increased costs for social assistance combined with the federal government's policy which caps its contribution to this program have had an enormous impact on Ontario's budget. This policy of limiting federal contributions will cost Ontario an additional \$1.6 billion this fiscal year. This cost will continue to grow unless the federal policy is changed.

Therefore, we are urgently pursuing with the federal government a retroactive change in its policy of capping contributions to Ontario for social assistance payments. I am tabling correspondence with the federal Minister of Finance which seeks his co-operation in addressing our concerns and in participating meaningfully in the renewal of Ontario's economy.

We are also expressing interest in working with the federal government and the provinces to address the shortcomings of current economic and revenue forecasting. It is

imperative that we improve the information available to all provinces to undertake effective fiscal planning. I hope to be meeting soon with the federal minister to discuss our position.

I have indicated that federal adjustment payments will help to offset some of the revenue loss. We anticipate receiving \$585 million through the stabilization plan. Another \$585 million comes through adjustments to the established programs financing for health and post-secondary education, which automatically take place because of the personal income tax revenue change. We will also take advantage of the opportunity, through the federal-provincial tax agreement, to make \$300 million in payments in the next fiscal year.

These offsets total \$1.4 billion. That leaves Ontario with a net shortfall of \$670 million which we will manage this fiscal year in order to meet our budget plan.

Last week, I said we intended to manage the personal income tax revenue loss to meet the financial targets of our current budget plan so we can continue to build on its anti-recessionary strategy and maintain support for Ontarians hurt by the recession. I am reaffirming this commitment today. To do this, we have initiated a number of measures.

Effective immediately, all ministries are rigorously reviewing their discretionary spending. Until April 1992, there will be a freeze on the purchase of vehicles, furnishing and consulting services, except in exceptional situations. This action is in addition to the \$100-million reduction in ministry operating budgets which I announced in my October 2 statement. Through it we are estimating a further saving of \$50 million.

We are reviewing our capital spending program and will reduce it by \$200 million. The funding for projects affected will be absorbed within our capital program next year so they can proceed. In taking this measure, I note that our commitment to Ontario's infrastructure remains strong, with capital expenditures totalling almost \$4 billion this year, the highest level ever for Ontario. Furthermore, the \$700 million dedicated to our anti-recessionary program remains intact.

Other offsets to the shortfall include additional revenues. The sale of the province's share in SkyDome will contribute a minimum of \$150 million to help address our deficit target.

As well, additional revenues under the established programs financing will provide us with a further \$200 million this year. This amount reflects new support for temporary residents, higher population estimates and increased cash transfers associated with earlier downward revisions in corporate income tax revenues.

Interjections.

Hon Mr Laughren: I will speak a little more quietly because I do not want the members opposite to have to yell to be heard when they are interjecting.

Finally, we estimate that we will receive \$70 million through the sale of assets such as surplus properties and the receipt of dividends from crown corporations.

Interjections.

The Speaker: Would the Treasurer take his seat. With the co-operation of the House, we can hear the remainder of the statement and any other statements which are to be made this afternoon. There will be an opportunity, under the standing orders, for both opposition parties to respond.

Hon Mr Laughren: We are confident these measures will enable us to manage this unforeseen revenue shortfall this year. We will monitor closely our revenue and expenditure projections and take further actions if required.

We must be realistic about the future. Ontario is facing a serious fiscal challenge. It requires that we all work together to maintain programs and services and to build a strong, sustained economic recovery. But the personal income tax revenue loss has very significant implications for next year's budget planning.

Based on this year's experience, we currently estimate Ontario's gross personal income tax revenues will be between \$1 billion to \$2 billion lower than previously projected for next year. There will be offsets to this decline and we intend to deal fully with this pressure in our 1992 budget in order to meet next year's targets. Furthermore, we have put into place a series of strategies which will now begin to address this fiscal challenge head on.

1. My colleagues and I over the past several months have been communicating with our partners in the broader public sector about the serious fiscal problems we are facing and seeking their co-operation in a number of areas. On behalf of the Chair of Management Board, I am tabling a letter he has written to our agencies, boards and commissions asking that they adopt a salary freeze for all executive positions, just as we have put into place for our senior managers, political staff and members of the Legislature.

In addition, we have been speaking to all our major transfer payment partners about the need to implement similar measures in their organizations. We are also asking that consideration be given by all to the seriousness of the fiscal situation and the importance of negotiating lower wage settlements throughout the public sector.

2. Given the financial pressures we face, we must be realistic about our ability to increase funding levels to our transfer payment partners next year. In the measures announced today and those which were outlined in my October 2 statement, we have been able to minimize the impact of fiscal pressures on our partners next year.

Clearly we must manage within an environment of reduced financial flexibility. I am indicating today that it will be very difficult to significantly increase funding to our transfer partners. Thus, any increases in transfer payments for 1992-93 will be very limited.

We recognize the difficult circumstances our transfer partners are facing and we will continue to work closely with them through these difficult times and ensure effective levels of service.

We will endeavour to get full information to them as early as possible for their planning purposes. I hope to provide our transfer partners with the government's early direction on major transfer payments by the end of this calendar year.

3. As members are aware, policy and program expenditure reviews are now under way as part of our 1992 budget

nning. These reviews are being co-ordinated by the new asury board. Programs and services are being scruti- ed for their effectiveness, cost-efficiency and consis- cy with this government's priorities of economic ewal and social justice.

We are committed through these reviews to achieve st savings and to ensure that spending meets the priori- s of government. The reviews are critical to determining at government does and does not do in the future. They l help to direct its reshaping, make it more effective and ure that priorities are implemented.

4. Through the Management Board of Cabinet, we will accelerating our ongoing program of increasing the effi- cy and effectiveness of the public service. A number of roaches are being considered. We are looking at admin- rative processes, some restructuring and changes in the rganization and operations of government. In addition, ough attrition and streamlining, a range of positions at levels will be eliminated in order to meet the objectives this strategy. Changes which are made will be in the rit of co-operation and participation with employees and rgaining agents. We will carry out our role as employer h integrity. This measure, while contributing to some ings this year, will have its biggest impact in the next cal year.

These are difficult fiscal and economic choices to ke. They can best be determined by working together to n and implement solutions. Pre-budget consultations, ich will begin in January, will enable Ontarians to par- ticipate in the process of finding solutions together to ad- ss the fiscal and economic challenges we face.

This government is committed to leading and acting; to rking actively with labour, business, communities and er governments to build a sustained economic recovery d to secure our goals of economic renewal and social ice. We have introduced and will be introducing other islative and program proposals which will support in- tment, job creation and training opportunities. These iatives will be the basis of Ontario's economic renewal d the restructuring of our economy. They are the basis of agenda for getting Ontario working again.

The measures I have detailed will support the manage- nt of our fiscal pressures. They will enable us to meet b budget plan, continue its anti-recession package, build tategy and build towards recovery. We are strengthening position to meet the challenges of our next budget and continue to pursue a strategy of economic renewal and ater equity and fairness for Ontario.

RESPONSES

TAX REVENUES

Mr Phillips: I say to the Treasurer that today's an- nouncement is very serious, very troubling and a cause of ne considerable concern to us. As far as we are con- ned, it is a government that has lost its way. This is not first statement the Treasurer has made. Many people d the budget was wrong. This government said it was only government in this country that was right, that

everybody else was wrong. That was six months ago. A month ago the Treasurer said he had a \$670-million prob- lem. Today we see another \$600-million problem.

I can tell the Treasurer that the people of this province are troubled and extremely concerned about this an- nouncement today. They are worried about the problem because it was six weeks ago that I said in the House to the Treasurer, if he remembers: "I think there is a problem with the personal income tax. Look into it." We were as- sured there was not a problem then. Six weeks later, we see a \$2-billion problem. We said six weeks ago we thought there was a problem here.

The solutions: One is that I will ask the Treasurer to check carefully into the fiscal stabilization plan. He says he is going to get \$585 million out of that. We want to have some assurances that he has checked with the federal govern- ment and that this has some sense of reality. Certainly when we look at the fiscal stabilization program, we are not at all sure he is going to get \$585 million out of that.

We see a government that has lost its control, lost its way, and frankly, if I can say this to the Treasurer, is begin- ning to lose the confidence of the people of this province. No one mistrusts the Treasurer's own personal integrity, but what we are seeing is a financial plan that is out of control. People are starting to worry, "Where will it end?"

On the fiscal stabilization program where he is calling for \$585 million, we raise the question today, and we would like some assurance soon in the House that this has some sense of coming true. On provincial sales tax reve- nue, we have said before there is some concern about the numbers he has in his budget. This would have been the time for the Treasurer to come forward and say, "We've reviewed them, we've taken a look at them and perhaps they're too high."

Fundamentally, the Treasurer is giving us a plan we are not certain he is going to be able to stick with for the rest of the year. We are getting it one step at a time. We said the budget was wrong. We raised questions with the Treasurer in October, if he remembers, and said, "Will the provincial income tax be on?" He said, "Yes, we think it'll be fine." There is a \$2.1-billion problem there.

It is interesting. As one of my colleagues asked, where is the Premier today? We are facing an economic problem here in the province. The unemployment rate went up sub- stantially a week ago, and where is the Premier? He has chosen to be out of the country.

The concern we have is that the Treasurer has now put on himself about a \$2-billion problem for next year, unless I have his numbers wrong; he is saying a \$1-billion to \$2-billion shortfall in revenue next year from the projec- tions he had previously. I think that is correct. I believe he delayed about \$350 million in his October 2 announce- ment, and in this announcement there is another \$300 mil- lion. It is either a \$1.5-billion or \$2.5-billion problem that he has transferred to next year, if I am not mistaken in his numbers. This year we have a problem. This is the third announcement he has now made, and we are worried that this announcement will not hold and that he has created a substantial problem for himself next year.

Our concern is that we would like to see the full picture. We did not see the full picture in October. We are worried about this fiscal stabilization program. We are not sure that is going to come true, and we now see for next year a \$1.5-billion to \$2.5-billion problem he did not anticipate.

All of this, I say to the Treasurer, is creating an element out there that, first, is making it difficult to have confidence in the government's fiscal plan, and second, the real solution is to get the economy going. Believe me, that is the solution. But when people look at a government that cannot manage its fiscal affairs, they begin to lose confidence in its willingness to invest in jobs and job creation in this province. One goes hand in glove with the other.

As I said at the outset, we are troubled by this announcement. We predicted much of this might come true. We asked him to look at it, and indeed it did come true. Frankly, we are concerned that more bad news may be ahead that we have yet to see. We would like to have seen that today so we could have the full financial picture for the people of this province, so that they could have some confidence this government knows what it is doing in its fiscal affairs.

Mr Harris: I am really shocked today. We heard some rumours coming out of the NDP caucus that this was going to be a really serious announcement, that there were going to be some serious cuts, that there was going to be some sweat and blood and tears as a result of the Treasurer's sweat and blood and tears over the last weekend.

I have looked at this announcement. In the way of cutting their \$53-billion expenditures, I see a 13.7% increase. I see a plan that says, "I hope, maybe by reviewing, we might be able to reduce expenditures by \$50 million," or 0.1% off a 13.7% increase. That is all that is in the Treasurer's statement today. It is not even there. It is, "I hope that by working together and reviewing we can cut 0.1% out of our 13.7% increase we brought in the budget." That is what this announcement is today.

When we examine it and look at \$200 million of deferrals to next year, that makes the problem even worse next year. Instead of taking the \$150 million from the SkyDome and reducing our deficit, he says, "I'm going to use that." That means another \$150-million problem next year. We see the feds are giving him \$1.5 billion more and then another \$200 million. We appreciate that from the feds. He says \$70 million from a fire sale of assets in the middle of a recession.

No company, no family, no business would ever do that unless they were bankrupt, without examining every other alternative. Can members imagine a family or a company, in the middle of a recession, saying, "We're going to carry on giving 16% increases in total salaries to ourselves"? Can members imagine them saying, "We're going to carry on our spending at a level close to 14%, but we're going to fire-sale some of our assets, those things that help us generate the revenue." It is absolutely ludicrous that the Treasurer is heading anywhere close to this direction.

1410

I want to talk about the phoney announcement about salaries. Here they are, a 16% increase in the public service last year, and the Treasurer is saying, "We are going to freeze ourselves and senior management." Now to the transfer agencies he is saying, "You'd better be careful next year, and we're asking about 1% of you to take a wage freeze." But all the unionized employees go ahead as if it is business as usual. The government makes statements that it hopes they will bear the reduced revenues in mind. Do they think the trustees of the school boards, the municipalities, the hospitals that are negotiating, have been saying, "Go ahead, take whatever you want; it doesn't matter"? They are doing their very best and they are crying out to this government for some leadership.

I quote to members what really bothered me from the Chair of Management Board in the *Globe and Mail* today when we found out school settlements are 6.1% on average. The Chair of Management Board, who is also the Minister of Education, said, "Yeah, I'm kind of worried. Something needs to be looked at." This is the response from the Treasurer.

Now I want to read members a quote from the head of a union. It is Robert Garthson, begging, pleading, asking them to legislate a freeze. This is a vice-president of the Ontario Secondary School Teachers' Federation. He said "it is 'simplistic' to look only at wage settlements"—he said that is "only" at; he is agreeing you should look at them—"and he said restraint measures 'have to be applied across the entire spectrum of society.'" He is asking for this. The union is asking for this. If the government had a wage freeze today in the broader public sector, it could save \$1 billion over the next year. They could start to address the problem.

This announcement today by the Treasurer says to me that next year there will be \$2 billion minimum in tax increases in the next budget. It says to me there will be double-digit increases in municipal taxes, in school board taxes. That is exactly what the Treasurer is saying. He has cut nothing. He has said, "I hope we can cut \$50 million if we apply our best efforts." I say to the Treasurer he is closer to Bill Vander Zalm than I thought yesterday. He is living in Fantasyland and this is a Fantasyland statement made by him today.

VISITOR

The Speaker: I invite all members to welcome to our midst this afternoon another former member of the assembly, the former member for Halton North, seated in the members' gallery west, Mr Walt Elliot. Welcome.

LEADER OF THE OPPOSITION

The Speaker: I beg to inform the House that Mr Bradley, the member for the electoral district of St Catharines, is recognized as the leader of Her Majesty's loyal opposition. Does the member have a few comments?

Mr Bradley: Briefly, I am delighted to have the confidence of my colleagues in the Liberal Party to serve as the leader of Her Majesty's loyal opposition. I almost said "royal opposition," because that has been a matter of great

attention recently. But I look forward to being able to question the government from a new position and of course to having so many colleagues who are so capable of providing support to the Leader of the Opposition.

Mr Harris: I have given these speeches to the new leaders of the Liberal Party so many times I am reluctant to take up too much time of the House. I know for sure I am going to be called on to do another one come February, and my caucus voted today; they figure it is 50-50 there will be at least one more before then.

However, I want to welcome and congratulate the member for St Catharines. I look forward very much to working with him for the period of time he will be in this role and position. He will gain an appreciation very quickly in this position that it is not nearly so simple as it looks from the outside. The grass always looks greener over on the other side. It is true that it is much greener over on that side versus this side—we understand that—both in terms of the salary increases they have all enjoyed since the last election and, more important, in terms of the fun and enjoyment and challenge of carrying out policy. However, he will find that as well, just from the shift in his role.

We congratulate him. I understand it went to three ballots. I know that creates a lot of tension in the morning. We wish the member for St Catharines very well.

Hon Mr Laughren: I too would like to congratulate the member for St Catharines. I think I speak for my entire caucus when I say that we all look forward—

Mr Christopherson: No, you don't.

Hon Mr Laughren: I confess this can fall apart in a hurry.

Mr Scott: You're learning about that, aren't you?

Hon Mr Laughren: Yes. I welcome, however, the advent of a kinder and gentler opposition with the member for St Catharines. I know he will do a fine job.

I want to say a brief word about the previous leader, my favourite storyteller, who said he would never be a candidate.

An hon member: That was then and this is now.

Hon Mr Laughren: I understand the difference between what was then and what is now. That is not a problem. I want to express my appreciation for the job he did in this House of keeping us on our toes. I know the member for St Catharines will do the same.

ORAL QUESTIONS

TAX REVENUES

Mr Phillips: My question is to the Treasurer. As I said in my comments on his statement, I think he can appreciate that the confidence of the people of Ontario in the ability of the government to manage its fiscal affairs has been considerably shaken.

On October 2, when he announced a \$600-million problem, some of us raised the issue of provincial income tax shortfalls, I believe on that day, and suggested that the Treasurer might want to check on that. Seven weeks later we now find there is a \$2.1-billion shortfall in provincial income tax revenue. Did the Treasury, or the Treasurer

himself, inquire of the federal government as to the status of provincial income tax revenue? What was the response the Treasurer got?

Hon Mr Laughren: I was somewhat surprised when the member for Scarborough-Agincourt responded to my statement. I thought he was somewhat unfair, because all this fall when I have responded to questions about our revenues, I have been saying that it looks as though our own sources of revenues seem to be on target but I did issue three warnings or cautions: (1) that a large portion of retail sales tax revenues did not come in until January, because of December shopping; (2) that corporate income taxes, because of the way they are reported and collected, do not get reported back in until February or early March, and (3) that the income tax revenues the federal government collects for us and then gives back to us over a two-year period have been historically incredibly volatile.

For those reasons, I was expressing caution about our revenue figures. Other than that, all I can tell the member is that we were getting some disquieting rumbles. There were press reports about income tax revenues.

The Speaker: Would the minister complete his response, please.

Hon Mr Laughren: We did not get anything official from the federal government until last week.

Mr Phillips: I take it, if it is not too unfair, that the Treasurer had some indication, but not an official indication, that there was a shortfall. We see two additional problems on the horizon which I would like him to comment on today, not unlike the ones we raised six weeks ago. The Treasurer has indicated that the fiscal stabilization plan will give him revenue of about \$585 million and that he will get an additional \$785 million from the established programs financing. Has he had some assurance from the federal government that both of those things are a likelihood?

1420

Hon Mr Laughren: Yes. It is my understanding there is no reason for us to believe we will not get that money, no reason whatsoever. Now, of the numbers the member mentioned, one is the \$585 million for the established programs financing and the other is the \$585 million for the stabilization plan which kicks into place when there is a dramatic downturn in a province's economy. It has happened in other provinces as well—British Columbia and Alberta, I believe—so we have no reason to believe we will not get that money from the federal government. I will be meeting with Mr Mazankowski to make sure these things are nailed down, but since we are clearly entitled to them, there is no reason to believe we will not get them.

Mr Phillips: I hope the Treasurer has actually had some conversation with the federal government and has gotten some assurances. As I look at that plan—I have to look at it myself; I do not have a large Treasury staff—I have some questions about it. I believe it is not \$585 million from the established programs financing; I believe, from the Treasurer's statement, that it now is \$785 million. Again, I will leave those two things with the Treasurer. The reason I raise them is that six weeks ago I raised the provincial income tax matter and now we find the problem.

I think it is now clear that the people of Ontario have some significant reservations about the Treasurer's fiscal plan. I do not think there is any doubt about that. Today's announcement will just cause further disquiet. We see now that he has added at least \$1 billion to next year's problem.

Will the Treasurer undertake, not in April but in the next few weeks, to bring forward to the Legislature a new fiscal plan so that the people of Ontario can see all of this laid out and can have some confidence that he has looked at the total program and now has his fiscal house in order? Can we now have an undertaking that we will not wait until April for a budget but rather will have a fiscal plan out of this government that the Treasurer can live with and that the people of Ontario will understand is his fiscal plan?

Hon Mr Laughren: I am a great believer in the budgetary process and so I do not want to bring down a budget in the next month. I do not think that is necessary. However, I assure the member for Scarborough-Agincourt that we do hope, as part of the pre-budget consultation process, to put more information out there for the people of Ontario and the people of the assembly than has ever been put out there before, so that they get a better sense of exactly how difficult the problem is.

I take issue with the member for Scarborough-Agincourt on the whole question of how we are managing our fiscal plan. Exactly opposite to what the member for Scarborough-Agincourt is saying, despite a very severe recession, despite very severe cuts in federal programs, despite the fact that we had this income tax hit that nobody could have predicted—it happened in previous years to the former government; I am not blaming it; that happened—despite all that, we are managing our fiscal plan to make sure we are in keeping with the targets laid out in the spring budget and are going to continue to do that.

Mr Phillips: In all sincerity, the Treasurer is delaying his problems to next year. That is the reality.

ONTARIO ECONOMY

Mr Phillips: My second question is to the Treasurer. The key solution for Ontario is to get the economy rolling. Many of his fiscal challenges would be solved if he could get the economy rolling. The Premier, wherever he is—he is travelling more than George Bush—promised us on September 23 that the government would bring forward an economic plan to this Legislature. He said that it was his highest priority and that the ministers would be announcing their economic plan. When can we expect the comprehensive economic plan to be laid out for the people of Ontario so that we can have some confidence that the government can get the economy rolling at last?

Hon Mr Laughren: The renewal of Ontario's economy will not come in a blinding flash of light. It is going to come as we come out of this recession and as we, as a government, make sure we do not panic and overreact to the fact that it is a severe recession.

We have already taken a number of measures that will help us in the economic rebuilding of this province. We are going to transform the training system, which I think all members agree needs to be transformed. Training in this

country is inadequate and is not well co-ordinated. We want to bring some coherence to the training plan. That will be out in the not-too-distant future.

We have taken some moves on encouraging workers to invest in the economy themselves through the worker ownership plan. I think that is a very important initiative we have taken.

This is a contentious issue among some members, but I think reforming the labour legislation of this province will also go some way towards rebuilding the Ontario economy and making sure there is a sense of security among workers, which they presently do not have.

We are determined to move ahead with reform of the social assistance program so that people on social assistance get back into the workplace. We are going to put a lot of emphasis on that in the next year.

I can see the Speaker is looking edgy, so I will sit down.

Mr Phillips: I think the answer indicates the problem. There is one thing that will divide labour and the business community at this critical point in time. We have a firestorm out there. We have a recession that is under way and needs to be fixed. The government frankly has started a fight between the two groups that can stop the fire the best.

The Treasurer should believe me. If he looks at the business groups and labour in this province, where are they going to be focused in the next six months? Where is the Ontario Federation of Labour holding conferences across the province? What are they doing it on? The labour relations stuff. What is the business community doing? They are focusing on that when we should be focusing on getting the economy rolling.

Will the Treasurer at this time, recognizing his fiscal problems, recognizing the need to get the economy rolling, undertake at least to set the labour relations legislation aside? Let that be dealt with when we get the economy under control and it can be debated in a rational forum. Will the Treasurer at least undertake that one thing to get the economy moving?

Hon Mr Laughren: We are not prepared to set aside the labour legislation. I know members opposite would never proceed with these kinds of labour reforms. I understand that. Having put out a discussion paper, and having labour and business discuss the paper that has been put out and get back to the Minister of Labour with their suggestions, we will see what develops from that consultation period. But we are determined to move ahead with labour reform. We think it is long overdue in this province and we have no intention of setting that aside simply because the Conservatives and some members of the Liberal caucus would like to see us do that.

Mr Phillips: When the Treasurer announced his budget, I think he said: "Every other province is wrong. The federal government is wrong. We're right." I think that is the case. The Treasurer may argue no, but that is what was said at the time, "We know best." Can the Treasurer lay out for the Legislature now the evidence that his plan is working where the other plans are not working? What is

the evidence now that he was right and everyone else was wrong?

Hon Mr Laughren: I must say that in the budget in the spring we put out some numbers that bothered a lot of people. They were tough numbers but they were realistic numbers. When I look across this land at other provinces that put out numbers, they were not very realistic numbers. I do not like to step back in time too often, but I remember a year or a year and a half ago when that party was in power and it said, "We're going to have a surplus," which suddenly turned into a \$3-billion deficit.

The member opposite cannot have it both ways. We put out numbers that we knew would upset some people but that we thought were realistic. We put out numbers indicating what our fiscal plan was for the next three years as well. A lot of people did not like that, but we had an obligation to indicate how we thought we were going to come out of this recession and how, in some cases, we intended to make sure we invested in this province in a way that made sure we were prepared to come out of the recession in a healthy way.

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TEACHERS' SETTLEMENTS

Mr Harris: I find it ironic that the Liberals and the NDP are arguing about who was more incompetent or who is more incompetent. Why do they not both admit they are incompetent and let's get on to a new direction? Obviously they are both incompetent when we look at the spending they have initiated.

The Treasurer's announcement today, this wishy-washy statement on transfer payments, is not acceptable. Contracts are being settled now: 7% increases, 6% increases are being settled. The vice-president of the union representing teachers, Robert Garthson, has come forward and said: "We need some overall leadership, not just one group of teachers, not just one group in society. We are begging. We are asking for some leadership from the top."

Will the Treasurer today give that leadership from the top and let teachers, unionized workers, non-unionized workers, transfer agencies, arbitrators and employers all know that there is no money for any increase next year?

Hon Mr Laughren: There is no question that this government does things differently than the Tories do. There is absolutely no question about that. I want to assure the Tories in this House that this government will never mismanage the economy in the way Tories do in Ottawa. We do not need any lessons from Tories on how to manage the economy.

I say, on a very serious note, because I think the leader of the third party asked a serious question and deserves a serious answer that is non-partisan in nature, that when we make our transfer announcement, which I indicated in the statement I wanted to make before the end of this calendar year, and that does not leave us a lot of time—we want to make that announcement, but I think we are already sending signals to our transfer partners out there that there is not going to be much money announced in that statement.

Mr Harris: Teacher settlements are averaging 6.1%. We have a strike on in Elgin and the offer on the table is close to 6%. Can the Treasurer today tell the taxpayers all across the province, all those who are in the middle of negotiations with teachers, how much he is going to transfer to cover the cost of those increases in salaries?

Hon Mr Laughren: As I indicated in my first response, it is our intention to do that as quickly as possible. What we are doing is evaluating, through the treasury board, all our expenditure programs in government. That has never been done before, never in this province. I confess we do not have a draconian, ham-fisted way of looking at fiscal problems. We are determined not to overreact in the short run, but rather to do it in a methodical, planned way so that when we approve the estimates process for 1992-93, it is done in a more thoughtful way than has traditionally been the case.

Mr Harris: The total cost, year over year, to the Ontario taxpayers for the civil service was 16.1%. Inflation for that period of time, I think the Treasurer will agree with me, will be somewhat under 6%. Inflation next year will probably be in the 2% to 3% range. Does the Treasurer see any need for an additional increase this year, given the 16% overall in new money that has gone towards the civil service this year, either in new civil servants, pay equity, merit pay or increases, and given inflation somewhere under 6%, and 2% to 3% next year? The two-year average will still be 8% if he says it is zero today. Does he see a need for more money there?

Hon Mr Laughren: I think the leader of the third party is confusing the Ontario Public Service with the broader public service that is in hospitals, schools boards and social agencies all across the province. This year when negotiations occurred through the collective bargaining process, the increase that was negotiated with the civil servants was 5.8%. Since then we have asked each ministry to absorb 0.8% of that, so really it came down to a 5% increase. When those settlements occurred, inflation was running at a rate of 6.1%.

Hon Mr Laughren: I confess that the easiest politics in the world is civil service bashing. That is the easiest thing in the world to do. I do not think it has much to do with rebuilding the economy of this province.

GOVERNMENT SPENDING

Mr Harris: Today in his announcement the Treasurer indicated he would not touch one cent of the capital spending that is in his recovery package because that was important spending, because that was creating jobs in this recession. He is going to cut \$200 million in other spending. He is not going to touch this spending over here because that is creating jobs, but he is going to cut \$200 million this year out of capital spending in other areas. Could he tell us how many jobs that will cost?

Hon Mr Laughren: A lot of the capital measures we are taking are measures that were not going to get off the books this fiscal year anyway. There will be some others, but not all of them have been identified. We have determined that we are going to find \$200 million in capital

spending. I could not give the leader of the third party a list of every one of them at this point, but we are determined that they will be either put off until next year—I am sure there will be some that will simply be cancelled because of our fiscal problems. It goes without saying that we cannot do it all. Even having said that, approximately \$4 billion this year is the most in capital expenditures that has ever gone on in this province.

Mr Harris: The Treasurer is not cutting some capital spending because it creates jobs in the recession, but somehow or other he is cutting \$200 million. I asked him how many jobs that would cut. It is a pretty straightforward question. If he knows how many he will save by not cutting here, surely he knows how many he will lose. Obviously he is going to lose a substantial amount of jobs.

Could the Treasurer tell us if the the people of St Catharines, the people of Windsor and the people of Niagara Falls can still expect substantial capital investments to relocate ministries to their communities?

Hon Mr Laughren: First, I wonder if I could put the record straight, because I think the leader of the third party is confusing our anti-recession package of \$700 million, which we put in place this spring and which is very largely under way now and mostly will be completed by the end of this fiscal year. I hear what the leader of the third party is saying. I think he would like to see us end those capital expenditures in those communities that are expecting relocation of civil servants but I do not—

Mr Turnbull: Like to see you resign.

The Speaker: The member for York Mills.

Hon Mr Laughren: I think the leader of the third party is not quite sure whether he wants us to continue with spending or whether he wants us to cut all the spending, because I get a mixed message from him. Perhaps if he has another question he could make it clear which it is he wants.

Mr Harris: The question was pretty straightforward. I asked what capital the Treasurer was going to cut and he would not tell me, so I tried to identify capital expenditures in the future and he still will not tell me. The reason for the question is so he cannot keep talking out of both sides of his mouth. That is the problem. The Treasurer has not cut a single thing and he will not identify anything.

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We told the Treasurer that his budget was 180 degrees in the wrong direction. The people of this province told him that. We laid out a document, *New Directions: A Blueprint for Economic Renewal and Prosperity in Ontario*, and we asked him to consider this. He has still ignored all this advice.

The Treasurer's announcement today means a minimum of \$2 billion in new tax increases in his April budget. It means a minimum of billions of dollars of tax increases in municipal and school board budgets next year by not taking action today. Particularly after today, we have absolutely no confidence in the Treasurer. The people have no confidence in the Treasurer. The working people and those who are not working, unionized and non-unionized, have

no confidence in the Treasurer. We will be moving that motion of non-confidence.

Mr Speaker, you are going to ask me if there is a supplementary here, and there is not. I am wasting my time with the non-answers.

Hon Mr Laughren: I detected a rhetorical question in that statement. I regret very much that the leader of the third party does not have—

Mr Eves: On a point of order, Mr Speaker: There was no question. How can the Treasurer answer a question that does not exist? Is this a ministerial statement or not?

The Speaker: I will allow the minister to respond.

Mr Cousens: No way. Come on. That was not a question.

Hon Mr Laughren: He was on his feet. Of course I have a chance to respond.

Mr Speaker: Order. I realize the phrasing did not seem to suggest an interrogative. On the other hand, the minister has the opportunity to respond to what he determined or at least thought was a rhetorical question included in the wording. I will allow a supplementary.

Mr Harris: On a point of order, Mr Speaker: I would like to inform you that I waive my right to the last supplementary. There is no question.

Hon Mr Laughren: I think the leader of the third party has a problem.

Mr Cousens: This is terrible. Come on, no question.

Mr Tilson: We sure don't want an answer.

Mr Villeneuve: You want to hang yourself, Floyd. Interjections.

The Speaker: Order. When the House comes to order, we will hear a response from the Treasurer and then we will move on.

Hon Mr Laughren: I will try not to be provocative.

I regret that the leader of the third party does not have confidence in me as Treasurer, because I have confidence in the leader of the third party to bring to this assembly all the policies that are important to Tory parties all across this country. I have confidence in him doing that. I have confidence in the leader of the third party to wipe out his party's deficit in the next couple of years. I have confidence in the leader of the third party. What I do not understand is why he is so angry and upset that, despite the fact we are in a very severe recession, we are able to manage according to our targeted figures in the budget. I think what is really bothering him is that we are succeeding in doing that.

Interjections.

The Speaker: The member should take her seat.

Mr Sterling: On a point of order, Mr Speaker: Under standing order 32(a), covering question period, which we are now undertaking, there is no provision for a minister to stand in this place and make a statement in the midst of question period when a question has not been asked. Therefore, I ask you to replace the time on the clock taken by the Treasurer in response to no question, as he has used up the time of the opposition to ask questions as provided in the standing orders.

Hon Mr Cooke: Mr Speaker, on the same point of order: I do not think there is a provision for the leader of the third party to stand up and make a statement without a question either.

The Speaker: The leader of the third party, to the same point of order?

Mr Harris: Yes, Mr Speaker. To the point of order—I think it was a new one—that was raised by the House leader for the New Democratic Party: If I was out of order, I apologize and withdraw all I have said.

The Speaker: I remind the leader of the third party that I did recognize him to place a question. The member for Brampton North.

Mr McClelland: I have a question of the Minister of the Environment.

The Speaker: To the member for Carleton, I am sorry, I should have explained to you. I am very pleased to review what has occurred, but I am not adding time to the clock. I allowed the question because the member asked to be recognized. Therefore, there was the opportunity to place a question to which the minister had an opportunity to respond. We now move on to the next in order while the clock continues to tick by, I remind you.

Mr Sterling: On a point of order, Mr Speaker—

The Speaker: Is this a new point of order?

Mr Sterling: This is a request for a ruling on the request I brought before you. I would like you to identify where the member for Nipissing placed a question to the speaker. That is what is provided for in the standing orders and it is your duty to protect the members of the opposition under the standing orders.

The Speaker: To the member for Carleton, I recognized the leader of the third party so that he could place a question. Therefore, the member to whom he placed the question has an opportunity to respond.

ENVIRONMENTAL LEGISLATION

Mr McClelland: My question is to the Minister of the Environment. Her environmental equivalent to the War Measures Act, Bill 143, in my view is the height of hypocrisy. An official from her legal services branch told me yesterday that the reason this bill was introduced under the office of the greater Toronto area was one of mere convenience. In fact, part IV of this very important act, the Environmental Assessment Act, deals with environmental protection initiatives. It is an environmental protection act which clearly falls under her responsibilities as the Minister of the Environment.

Will the minister not agree that this bill would be better dealt with in two separate bills, and will the minister agree today to sever part IV of Bill 143 and introduce it as a separate piece of legislation since it is clearly not the minister responsible for the greater Toronto area but the Minister of the Environment who should be dealing with part IV.

Hon Mrs Grier: Whether I introduce legislation as minister responsible for the GTA or as Minister of the Environment, what is very important, critical and new about this legislation is that for the first time a government

is looking at waste management in an integrated way, recognizing that you do not solve waste management problems by merely looking for disposal sites. You have to look at the 3Rs in waste reduction and at the same time find disposal sites for the residue after you have reduced the waste as much as possible. That is what this legislation will accomplish and, frankly, I am not sure it particularly matters under which hat it rests.

1450

Mr McClelland: It matters because this is clearly the most heavy-handed piece of legislation ever introduced by a Minister of the Environment anywhere. It is shocking to me to think that the minister, who was once an advocate for citizens' rights, the same Minister of the Environment who introduced an environmental bill of rights, the same minister who stood with the Premier and said there would be no expansion of existing landfill sites without a full environmental assessment, would write such hard-handed, ruthless legislation.

The minister has clearly attempted to use these waste management reduction measures she talks about to disguise her draconian and heavy-handed measures. Her environmental war measures act wipes out the very rights and principles she once personally championed. I ask the minister again to sever part IV of the bill so that it can be dealt with in the way it should be and proceed, while the other sections of the bill receive the public scrutiny and the input they require and deserve.

Hon Mrs Grier: I find the analogy between a waste reduction bill and the War Measures Act extremely offensive, but let me say to the member that it is about time somebody in this province waged war on waste, and if his government and previous governments had done it over the last two decades, then this government would not be forced to manage the crisis in the way we are.

ACQUIRED IMMUNE DEFICIENCY SYNDROME

Mr J. Wilson: My question is for the Minister of Health, who I think just slipped out for a moment. Perhaps she will be back if one of the members of the NDP could get her. She was here a second ago.

My question concerns the request for compensation for haemophiliacs in Ontario who contracted HIV through the province's blood supply. I say to the minister, who is back in, I appreciate her concern for rising health care costs in Ontario, but she will also be aware that a six-year-old haemophiliac, a little boy who contracted the AIDS virus through the Australian blood supply, was awarded compensation by the courts in the amount of \$875,000. It cost the Australian government \$15 million to fight this case, and now that government is being forced to settle, as a result of the court case, similar cases out of court.

As of this morning, 18 lawsuits have been filed by persons with haemophilia who contracted HIV through Ontario's blood supply, and each names the government of Ontario in its suit. Why is the minister refusing to act responsibly and provide catastrophic relief to haemophiliacs in Ontario who contracted HIV through our blood supply?

Hon Ms Lankin: I do not think we are refusing to act responsibly at all. In looking at this issue, I think I have confirmed the position the ministry had taken in the past.

Let me say briefly to the previous Minister of Health under the former government that with respect to comments I made today, I clearly said that the ministry had taken this position in the past. I do not attribute this directly to the minister having made a cabinet decision, but in terms of documentation and letters, many positions had been taken by the ministry with respect to not dealing with the issue of catastrophic relief for haemophiliacs suffering with HIV until a comprehensive strategy dealing with the Prichard report and response in general was done. I have, in fact, copies of that in writing, but I apologize to her for having attributed remarks directly to her. It is not in fact what I said, although I understand she understood that.

I can say to the member opposite that we are committed to providing benefits and support to all people in this province suffering from HIV and AIDS. We do not see in the provision of health care treatment that there should be a distinction based on how the individual contracted the disease, and I think we have to be very careful with respect to this. In fact, the federal government has been very careful not to tie the kind of compassionate compensation that it forwarded to any indication of culpability on the part of the blood supply. The response we have taken in Ontario is not a unilateral response; in fact, it is shared by every province in the country at this point.

Mr J. Wilson: The minister is aware that there are some 375 haemophiliacs—many of those people are children—who are now living with the AIDS virus simply because they placed their faith and trust in our health care system and in Ontario's blood supply. The Australian example makes it clear that the fiscally responsible thing for her government to do—she should never mind what the Liberals did not do—would be to compensate these people now, rather than spend millions of taxpayers' dollars fighting this issue in court. Why would she rather see our scarce health care dollars given to lawyers than to people who only placed their trust in our health care system and in her government?

Hon Ms Lankin: Whenever a legal issue is raised, it is very easy to say you should settle on that legal issue, irrespective of what the principles involved are; to spend money in that way rather than spend it on court costs. I suggest the member has to take a look at the legal issues involved. What I think we should be spending the money on, all of it, is delivery of services to the people who have this disease. That is not categorizing one group of people who have this disease.

With respect to the issue of the blood supply itself, we are talking about a national issue. We have had a response from the federal government and from every provincial and territorial government that is involved with the process that there is not a legal culpability involved in this. What we have is people suffering from a disease who need treatment and who need benefits and expansion of the services in that area. That is the right way to spend the money.

AGRICULTURAL LAND

Mr Hansen: My question is to the Minister of Municipal Affairs. Farmers in the Niagara area have been looking at ways to help ease the tremendous financial hardships they have encountered over the past few years. Recently the regional municipality of Niagara voted in favour of relaxing its land use policies to allow farmers to sever lots from their farms to help raise funds to cover costs. This decision has not been supported by the government and the ministry has said it will send all severances to the Ontario Municipal Board. Will the minister and the Minister of Agriculture and Food meet with the Niagara farmers and the Niagara regional representatives to listen to their concerns and requests?

Hon Mr Cooke: I appreciate the question and the interest the member has shown in this very difficult issue. We in this government understand the very serious situation the farmers are experiencing in the Niagara Peninsula and we certainly understand the motivation behind the decision regional council made to try to help out the farm community, but we had to make a decision in this government of how we would protect agricultural land, and the decision has been made.

I have spoken directly with the regional chair, and I know the Minister of Agriculture and Food has spoken to representatives of the farm community. We are going to meet, because we have to find long-term solutions for the farmers in that community. We want to do that with the farm leadership and with the municipal council leadership. A meeting has been set up for December 17 when we hope to begin that dialogue.

HEALTH SERVICES

Mr Scott: As members undoubtedly know, the riding of St George-St David numbers among its population some of the poorest and most disadvantaged people in the entire province of Ontario. My constituents in St James town and Regent Park, the largest public housing project in the country, would have been shocked, I think, to see the government backbenchers give a standing ovation to the Treasurer when he said he was managing the services of the province efficiently.

My question is for the Minister of Health. Last week and this is why my constituents would be concerned, they read in the press that the Deputy Minister of Health, Michael Decter, a mandarin from Manitoba, had indicated "We are looking very hard at the type of services delivered and what are the outcomes. For instance, we spend large amounts of money treating lung cancer, which frankly does not do much good." He went on to give other examples of services that might be cut out. He spoke of heart bypass surgery and organ transplants for people over 70 years old.

The serious question I have for the Minister of Health is, are these things Mr Decter speaks about being actively considered in the ministry? Does the deputy minister in that respect speak for the government?

1500

Hon Ms Lankin: As we review how our health dollars are spent, we are committed to trying to put in place

process that ensures every procedure is evaluated based on health outcomes. We think that this is an important way to go and that there have been some pilot projects within certain hospitals with respect to total quality management and continued quality improvement which suggest that those are really important elements to an evaluation tool.

Recently the Canadian Cancer Society, with respect to the studies that have been done in a co-operative, broad-sector way, in the Cancer 2000 report has suggested that we need to look much more at the prevention issue rather than treatment with respect to lung cancer, that we need to shift those resources.

The particular cases I think were used as illustrative of the kind of debate we need to have in our society with respect to which kinds of health care procedures we continue to invest in, in our new procedures that we bring on line. They are not considered at this point in time a list of actual items that within a month or two I would be announcing any changes with respect to.

Mr Scott: I want to thank the minister for the completely candid answer, because I take it to be entirely clear that Mr Decter does speak for her and the government when he says this government is actively considering whether OHIP services should be provided in respect of certain cancer treatments, bypass operations for the elderly and organ transplants. There has been a reflection of that in today's press, no doubt connected with what Mr Decter said, when the Toronto Hospital, which is a hospital upon which my constituents are directly dependent, as members can imagine, announced that transplants, for example, which it is well known, might be cut.

Dr Hudson, the new president of the hospital, said patients will be turned away. "'We would have to say'—speaking of organ transplants—'trash the organs; we're not going to use them, we haven't got any money.'... Patients will be told: 'Sorry, you're going to die.'"

The other half of the riding, north of Bloor Street, includes some of the richest citizens in the country. They will be able to get this kind of treatment and surgery, if not in Ontario then in Quebec or in Philadelphia or in New York or in Dallas. In light of the needs of my riding, what is the minister going to say, in light of what Dr Hudson has said, to constituents in the south end of the riding who are going to suffer from this destruction of the health care plan under which they are presently the beneficiaries? It is an important and very troubling question. I ask the minister for a candid answer.

Hon Ms Lankin: I appreciate the opportunity to give a candid answer. I think I have been very candid on this issue all along. I believe that there is a great deal of room within our health care system and within the hospital system for restructuring that will provide service in a better co-ordinated way across the region, and we will make some good decisions about how and what we are providing within our hospitals.

I hope—I have to say I hope—with respect to what has been quoted by Dr Hudson in this article, that in fact he said much more that was much more balanced in his approach. I am quite shocked by the quotes that are here. In

discussions I have had with the OHA and with other hospital CEOs, I think we have a very co-operative approach that has been established. That has not been reflected in the headlines. Let me tell the member that those kinds of comments, which I will say directly are outrageous—I certainly hope they were put forward in a much more balanced approach—are the very kind of thing that leads to panic in the member's community and in other communities. I would like to say that I hope we can quell that panic, and I look for the member's assistance in doing that.

I received a letter by fax, very shortly after the paper was out today, from University Hospital in London and from the co-ordinator of the multi-organ transplant service.

Mr Scott: My constituents do not live in London; they live in Toronto.

Hon Ms Lankin: Perhaps the member could listen to the response.

The Speaker: Order.

Hon Ms Lankin: The chief of the multi-organ transplant service, who is working with the ministry task force with respect to this issue, was shocked at those kinds of comments being made and wanted to assure the people of Ontario not to panic and not to have fear, that these kinds of statements go far too far with respect to what the situation is.

The Speaker: Would the minister conclude her remarks, please.

Hon Ms Lankin: Let me also say that I think the Ontario Hospital Association and its leadership should be listened to. I will just quote right from the weekend, where Mr Timbrell said: "'Will patient care be jeopardized?' he asks. 'No. Will there be waits? No. Will there be a compromise on quality? No. Will there be a change in how we receive services? Yes.'" I think we are going to try to manage that change.

NORTHERN HEALTH SERVICES

Mr Eves: I have a question for the Minister of Northern Development and Mines. I am extremely disappointed to hear that after some discussion, the Minister of Health has unilaterally decided not to consider any threshold exemptions beyond physicians who are currently in the government underserviced area program. I am concerned that this ill-conceived decision is going to have a very negative impact on the accessibility to health care services in northern Ontario.

Can the Minister of Northern Development and Mines give this House, and more particularly the residents of northern Ontario, her personal guarantee that this decision by her government will not adversely affect northern Ontario residents?

Hon Miss Martel: I think the member would understand that I could not give a personal guarantee regardless of if it were a question of medical care or anything at this point in time. We are under a great period of fiscal restraint in the province. All of us, in terms of our various ministries, are making every effort to maintain the basic services that we have to maintain our programs, but we will all have difficulty this fiscal year to try and do that.

I should talk to the member in particular about the specific case, the dermatologists in northeastern Ontario, whom I am sure he has a concern about, as I and my colleague the Treasurer do. Yesterday my ministry talked directly to the Deputy Minister of Health. We asked that a meeting be arranged with respect to Dr Donahue. Those arrangements are being made right now.

Second, there is a second meeting that will occur between the OMA, this government and the doctors, which I will be attending in Sudbury, that have a concern specifically about the shortages in cardiology and in obstetrics so that we can talk to all of them about what can be done. I look forward to having those discussions. The meetings, as I understand it, were trying to be arranged as soon as possible.

Mr Eves: I talked to some of those doctors whom the minister and the Treasurer apparently talked to late last week. Their version of the meeting is not anywhere near the same as that of the Minister of Northern Development and Mines. Dr Donahue is not the only specialist in Sudbury who has a problem. These people are generally concerned about the needs of their patients as northern Ontario residents, as a result of the decision of the Minister of Health.

Dr Abdulla, who is the cardiology chief at Sudbury Memorial Hospital, is concerned that the government's decision may force him to move south. He is the only qualified nuclear cardiologist in all of northern Ontario. He is one of five serving a population of 600,000 people that should have 10. Dr Cheung, also of Sudbury, the minister's home town, is the only full-time neurologist practising north of Parry Sound in the province. He may also be forced south, he says. He is extremely concerned about the ramifications of the government's decision on his patients and his staff.

When is the minister going to realize that the government's decision is placing the health care of northern Ontario residents in jeopardy? Is it not the intention of the government to provide those first-class health care services in northern Ontario? That is why we build centres like the Sudbury cancer centre, so people can be treated there, not so they can be paid under the northern health travel grant program to ship them all to Toronto because the Minister of Health is cutting out their services and forcing them to move south.

Hon Miss Martel: It certainly is a priority of this government to provide those services, especially in Sudbury, and that is why I and my colleagues the member for Nickel Belt and the member for Sudbury have fought so hard on behalf of the cancer treatment centre and other specialists who are located in Sudbury. I remind the member of that.

Also, if he listened to the first answer—he obviously did not—I said that we were in the process of arranging a meeting between the Ministry of Health, the representatives from the OMA, my office and the cardiologists and obstetricians who were at the meeting in Sudbury on Friday, and requested a meeting and that their concerns be aired.

If the member had listened to my first response, he would have heard me say clearly that we understand it as not only a problem with the dermatologist Dr Donahue; it is also a problem with the others. We are undertaking as soon as possible to have these meetings.

I would also say, with respect to the situation of Dr Donahue in particular, that I asked him very clearly at the meeting on Friday if he was prepared to open his books and have a meeting with the ministry because none of us in terms of those he has asked some help from—that is myself and the Treasurer—in none of the letters he sent to us did he indicate what his costs were or what his problem was. In none of the letters he sent to us did he indicate what his costs were or what his problem was, so we have asked very clearly that if we are going to come to a meeting with him, and we intend to do that, will he in turn open his books? I hope he will do that. That is the basis upon which we are now arranging those meetings.

1510

LABOUR LEGISLATION

Mr Abel: My question is for the Minister of Labour. My riding of Wentworth North—

Interjections.

Mr Scott: Let that guy ask a question. Give him a break.

The Speaker: Order. The Speaker would appreciate the assistance of all members, not just the member for St George-St David.

Mr Abel: I am grateful to the member for St George-St David for taking care of my best interests here. As I began to say, my riding of Wentworth North consists of three towns, Dundas, Ancaster and Flamborough, and in these three towns there are several shopping malls and plazas. Several of the shop owners from within these malls and plazas have contacted me with some concerns regarding the proposed changes to the Ontario Labour Relations Act, specifically picketing on third-party property. My question to the minister is, will the proposal to allow picketing in shopping malls interfere with businesses not involved in a labour dispute?

Hon Mr Mackenzie: I think it is a good question and useful to get rid of some of the scare tactics that are used in terms of this legislation. Incidentally, I was going to make the point that we are—

Interjections.

The Speaker: Order.

Hon Mr Mackenzie: As I was just going to say, Mr Speaker, what we are looking at is a discussion paper, not legislation as yet. We will not know what is in the legislation until we finish the discussion process. I think it is a good point, however, that there is not a fear as is raised by some of my colleague's constituents who are concerned.

The current state of the law allows for workers to picket at the entrance to the mall or in the parking centre and that can often lead to real problems with a number of people who may be involved in the malls. The change would allow for picketing inside at the actual store the

was being affected by the labour dispute, and I think that will be a lot easier than previously.

Hon Mr Mackenzie: I think allowing—

Interjections.

The Speaker: Would the minister take his seat, please.

Interjections.

The Speaker: Minister.

Hon Mr Mackenzie: I think the final point is that the proposals in the discussion paper, which still has to go through the discussion process, will allow peaceful picketing directly at the business involved, and attempts to picket them all generally would be illegal, as they currently are.

TEACHERS' SETTLEMENTS

Mr Beer: My question is to the Minister of Education. In an article in today's *Globe and Mail*, it is reported that the minister has told Ontario school boards that they need to show more restraint in wage settlements, which are currently running on average at 6.1%.

Last month, as Chairman of Management Board, the minister intervened in discussions between the Council of Regents for Colleges of Applied Arts and Technology and their staff and stated that they ought not to offer any settlement above 2.7%.

Is the minister prepared to give this same message clearly and firmly today to the leadership of the teachers' unions in this province?

Hon Mr Silipo: I think I said earlier, and I will continue to say, that I believe and this government believes in the collective bargaining process and in that process continuing. What I have also been saying and will continue to say is that we have some realities that we all need to deal with, and very clearly the area of wage settlements is an area that everyone needs to look at, whether it is in the school board sector or in any other sector. That is the kind of message I have been giving out, and that is certainly the kind of message I will continue to give out.

Mr Beer: That really is no answer at all. The minister is quoted in the *Globe and Mail* as saying: "It concerns me...something needs to be looked at...without being too firm...we will need to be sharpening our message."

It seems the minister is quite prepared to sharpen his message when it comes to the community colleges, but he ducks the issue and is afraid to make the tough decisions when it comes to discussions between the school boards and the teachers. What is happening here is that the minister has also indicated that school boards can expect 3% or less in transfer payments, and yet it is clear from what is going on in terms of these settlements that there simply will not be money for the wage settlements.

What is the minister going to do? Will he state today how he is prepared to protect the Ontario property taxpayer if, on the one hand, he is not prepared to give the school boards the money to run the schools of this province, and second, he does not seem to have the wherewithal or the courage to stand up and state clearly and categorically the wage limits that will be permitted?

Hon Mr Silipo: Although I note with interest the settlement reached for the colleges' support staff of, I believe, 3% for next year, I also, as I say, believe very clearly that school boards, teachers' federations and other employer organizations have a clear responsibility to continue the collective bargaining process and find solutions to the fiscal problems that we have through that process.

I met yesterday with representatives from the Ontario Public School Boards' Association. I will be meeting with representatives from other trustees' associations, as well as with teachers' federations and other employee groups and representatives, to discuss with them very clearly the kind of situation we are all living under. It is the kind of restraint, quite frankly, that everyone will have to show.

The Treasury has already indicated we will be making our transfer payments announcements before Christmas as a way also to indicate very clearly to the municipal level, school boards and other transfer payment agencies the kind of support they can expect from this government. It is a time for all of us to look very clearly and very realistically at what we can achieve.

Mr Beer: I would like to state that the answer is not acceptable. It is purely a lot of gobbledegook, and I invite the minister back at 6 o'clock for the late show.

The Speaker: I assume the member for York North will file the necessary document.

GOVERNMENT SPENDING

Mr Eves: On a point of order, Mr Speaker: I did not want to pursue this, because I did not want to take up any more time of question period, but as he stood on his feet for his second supplementary on his second question, the member for Nipissing indicated that in view of the fact that he was getting non-answers from the Treasurer, he would not be placing a second supplementary question.

I may be wrong, but I for one did not hear a question, Mr Speaker. I would ask you to review Hansard to see if in fact one was placed, because I believe—and again I may be incorrect—that you permitted the Treasurer to respond to the member's question. Well, I do not think there was a question. I would ask you to review Hansard, and if in fact there was not a question, why was the Treasurer given an opportunity to respond to a non-question?

Mr Conway: Mr Speaker, on that point, I listened with some interest to the exchange this afternoon between the member for Nipissing and the Treasurer. I do not want to prolong the point, but it seems to me that surely the Treasurer has a right, and any minister of the crown has a right, to respond to a question. But it seems to me that if a member of the opposition bench has the right to get up—and I think any Chair has to exercise some measure of latitude. It is not an easy task; I understand that. But on the basis of what I heard this afternoon, I would certainly support a ruling by the Chair to allow some latitude whereby one might hear a rhetorical question.

It seems to me that if we in the opposition, as members of the Legislature, are going to stand up and make a statement as part of a routine question time, it is not unreasonable that a member of the government who is clearly going to be engaged in that process—after all,

that is the informing logic of this process. I do not like to disagree very often with my friends in the third party, but I would simply say as a member of this Legislature that in what I heard this afternoon, when a member of the Legislature stands and puts a point, though it may not be as purely interrogative as the rules would anticipate, it seems to me that, *mens rea*, if that is the legal term, the reasonable thing would be to allow some kind of response, if only in the anticipation that there was a rhetorical question contained within the submission.

1520

The Speaker: First of all, to the member for Parry Sound, I appreciate your having brought this concern to my attention. I certainly listened quite intently to the comments by the member for Renfrew North. I did make a ruling on this earlier. I will, however, be pleased to take another look and will report back to the member for Parry Sound later.

PETITIONS

OATH OF ALLEGIANCE

Mr J. Wilson: I am pleased to present a petition to the Legislature of Ontario that reads as follows:

"Whereas the Queen of Canada has long been a symbol of national unity for Canadians from all walks of life and from all ethnic backgrounds;

"Whereas the people of Canada are currently facing a constitutional crisis which could potentially result in the breakup of the federation and are in need of unifying symbols;

"We the undersigned respectfully petition the Legislative Assembly of Ontario to restore the oath to the Queen for Ontario's police officers."

I am pleased to say that I have affixed my name to this petition, as have my good friend and colleague the member for York Mills and a number of good people from my riding who live in Wasaga Beach and Stayner.

Interjections.

Mr J. Wilson: I hear a lot of heckling from the opposition because they wonder why every single day since the government took away the reference to the Queen in the police—

Interjections.

The Speaker: Order. Will the member for Simcoe West take his seat, please.

ENVIRONMENTAL LEGISLATION

Mr McClelland: I have a petition signed by over 700 people in opposition to Bill 143. It is signed by 700-plus people from the Maple and Vaughan areas who are asking if the government of the day would put a stop to Bill 143. I will sign that petition so it can be introduced.

CLOSING OF TREE NURSERIES

Mr Miclash: I have a petition to the Legislative Assembly of Ontario and it reads:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We oppose the proposed closure of the bare root section of the Dryden Tree Nursery due to the loss of substantial employment...Dryden Tree Nursery purchase of materials and services, income dollars spent locally and the MNR local presence in the community."

That is signed by some 112 residents of the area, and I too have attached my name to that petition.

GASOLINE PRICES

Mrs Y. O'Neill: I have a petition to the Legislative Assembly of Ontario which reads as follows:

"We, the undersigned, petition the Legislative Assembly as follows:

"Whereas gasoline prices are significantly higher in the Ottawa area than those in southern Ontario;

"Whereas such a price disparity discriminates against Ottawa area consumers;

"The Legislative Assembly of Ontario should urge the Ontario government to correct this injustice for Ottawa area motorists."

This is signed by 150 people, and I have affixed my signature.

CHRONIC FATIGUE IMMUNE DYSFUNCTION SYNDROME

Mrs Mathysen: I am presenting a petition signed by 2,988 people from all over southwestern Ontario who request that:

"The Ontario Ministry of Health take steps to establish a clinic in one of the London, Ontario, teaching hospitals for the appropriate assessment, treatment and clinical research for chronic fatigue immune dysfunction syndrome.

"These signatories further request that the Ontario Ministry of Health provide the necessary funding to establish a critically needed permanent regional information centre in London, Ontario.

"These signatories would like the members of this House to understand that very little is known about this debilitating disease. It strikes people in every age group and leaves its victims with cognitive dysfunction, memory loss, difficulty with concentration, sleep disturbance, physical pain and extreme prolonged fatigue. A conservative estimate of those afflicted in Canada is about 100,000 victims, an estimated 10,000 of whom reside in southwestern Ontario.

"Despite the horrendous cost to the health care system the inability of sufferers to continue to work or attend school, no Canadian epidemiological study has been done for CFIDS."

On behalf of all those concerned members of this Legislature and the many victims of this disease, I respectfully submit this petition, to which I too have signed my name.

GASOLINE PRICES

Mr Grandmaitre: I too have a petition addressed to the Legislative Assembly of Ontario, similar to that of my colleague from Ottawa-Rideau:

"Whereas gasoline prices are significantly higher in the Ottawa-Carleton area than those in southern Ontario;

"Whereas such a price disparity discriminates against Ottawa area consumers;

"The Legislative Assembly of Ontario should urge the Ontario government to correct this injustice to Ottawa area motorists."

This is signed by 127 people living in the Ottawa-Carleton area, and I have affixed my signature as well.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Mr Kormos from the standing committee on resources development presented the following report and moved its adoption:

The committee begs to report the following bill without amendment:

Bill 126, An Act authorizing the Filing of Information in an Electronic Format under Statutes administered by the Minister of Consumer and Commercial Relations / Projet de loi 126, Loi autorisant le dépôt de renseignements au moyen d'un support électronique dans le cadre de lois dont l'application est confiée au ministre de la Consommation et du Commerce.

Motion agreed to.

Bill ordered for third reading.

STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Mr Cooper from the standing committee on administration of justice presented the following report and moved its adoption:

Your committee begs to report the following bill, as amended:

Bill 115, An Act to amend the Retail Business Holidays Act and Employment Standards Act in respect of the opening of retail business establishments and employment in them / Projet de loi 115, Loi modifiant la Loi sur les jours fériés dans le commerce de détail et la Loi sur les normes d'emploi en ce qui concerne l'ouverture des établissements de commerce de détail et l'emploi dans ces établissements.

Motion agreed to.

Bill ordered for third reading.

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INTRODUCTION OF BILLS

GOVERNMENT CHEQUE CASHING ACT, 1991

LOI DE 1991 SUR L'ENCAISSEMENT DE CHÈQUES DU GOUVERNEMENT

Mr Morin moved first reading of Bill 154, An Act to prohibit the Charging of Fees for the Cashing of Government Cheques / Projet de loi 154, Loi interdisant de demander des droits pour l'encaissement de chèques du gouvernement.

Motion agreed to.

Mr Morin: The bill prohibits any person from charging a fee for cashing a cheque issued by the government of Canada, the government of Ontario or a municipality.

CHURCH OF THE TORONTONIANS ACT, 1991

Mr Harnick moved first reading of Bill Pr104, An Act to revive the Church of the Torontonians.

Motion agreed to.

Mr Harnick: This bill is to revive the charter of a corporation.

The Speaker: It is a private bill for which there is not normally an introduction.

CITY OF NEPEAN ACT, 1991

Mrs O'Neill moved first reading of Bill Pr110, An Act respecting the City of Nepean.

Motion agreed to.

EARTH DAY ACT, 1991

LOI DE 1991 SUR LA JOURNÉE DE LA TERRE

Mr Christopherson moved first reading of Bill 155, An Act proclaiming Earth Day / Projet de loi 155, Loi proclamant la journée de la Terre.

Motion agreed to.

REDIRECTION OF BILL

Mr Runciman: On a point of order, Mr Speaker: Bill 126 was moved on to third reading earlier. I am given to believe there was an agreement with respect to this bill going to committee of the whole. I am looking for the consent of all three parties in the House to redirect that piece of legislation to committee of the whole.

The Speaker: Is there unanimous agreement to send Bill 126 to committee of the whole?

Hon Mrs Grier: I am not aware whether there have been discussions with the government House leader. Could I ask that we stand down this decision until I get some sense of what in fact has been discussed?

The Speaker: This matter can be dealt with later on. We note there are no House leaders present in the chamber at this time. We can set this aside for now and the member can come back later when we have had an opportunity to determine what can happen with this.

NOTICE OF DISSATISFACTION

The Speaker: Pursuant to standing order 33, the member for York North has given notice of his dissatisfaction with the answer given by the Minister of Education to his question concerning transfer payments and teachers' salaries. This matter will be debated at 6 pm today.

ORDERS OF THE DAY

WASTE MANAGEMENT ACT, 1991

LOI DE 1991 SUR LA GESTION DES DÉCHETS

Mrs Grier moved second reading of Bill 143, An Act respecting the Management of Waste in the Greater Toronto Area and to amend the Environmental Protection Act / Projet de loi 143, Loi concernant la gestion des déchets dans la région du grand Toronto et modifiant la Loi sur la protection de l'environnement.

Hon Mrs Grier: I am pleased that debate on waste management in this province is about to begin. In my six

years in this Legislature I think this is the first time members have had an opportunity to debate a comprehensive approach to waste management, despite the fact that the issue of waste management has preoccupied many of us and the time of this House in question period. There has not been a comprehensive piece of legislation getting to the heart of the matter that is beginning to deal with the problem.

In Ontario, as in the rest of Canada, our quality of life and prospects for economic prosperity have traditionally been rooted in an advantage that few other jurisdictions on earth enjoy. We are a community of approximately nine million people occupying almost 900,000 square kilometres of land rich in resources.

But we have long been aware that this abundance is not without limits and that we have been straining those limits. That is the hard fact that underlies the evolution of environmental protection in Ontario. It has been addressed in legislation and in programs developed and refined over the past quarter century by a series of governments.

In spite of current economic conditions, public concern for the environment remains high. In fact, it has strengthened in focus. The public has adopted recycling as part of everyday life wherever recycling systems have been put in place. They are becoming more selective as consumers, creating a demand for environmentally friendly products. The greening of public attitudes is manifest here and around the world in disapproval of some of the products and byproducts from industries, businesses and institutions that are often seen to be harming the environment.

For their part, many in industry, commerce and institutions are thinking and working in more environmental ways. They are quick to recognize the advantages in cost and efficiency of low-waste, low-pollution operations and also the marketability of greener, environmentally friendly products.

We are now building on the foundations of environmental legislation established in Ontario and launching major new environmental initiatives to address the public's environmental and economic concerns.

Today I am pleased to introduce the Waste Management Act, 1991 for second reading in the Legislature. This is our government's first milestone in refining the province's environmental laws so that we may maintain a level of environmental quality which will nurture a healthy, productive society and a strong, sustainable economy.

With this legislation we are beginning to implement an environmental strategy which is based on four major policy directions.

First, this is a green government. The environment must be taken into account by all ministries in every policy and program that is decided upon.

Second, stewardship: Everyone has a stake in the environment, a responsibility to protect it and a right to enjoy its benefits.

Third, conserving: To create a sustainable environment, we must transform ourselves from a consumer society to a conserver society.

Fourth, prevention: Our programs have a double focus, to develop strategies to prevent further damage and to clean up existing problems in our environment.

The Waste Management Act, 1991 addresses urgent environmental issues facing this province and provides the government with the legal authority to resolve them and begin implementing strong and consistent environmental policies.

The act provides a framework within which we can accelerate the transition from a consumer society to a conserver society strongly based on the 3Rs—reduce, reuse and recycle—with the emphasis on waste reduction.

This legislation is the foundation for implementing a series of regulatory initiatives for waste reduction, the first of which I released for public consultation last month. This legislation is the means by which we intend to achieve more than 25% waste diversion from disposal by 1992 and more than 50% by the year 2000, goals that have been espoused for quite some time but for which programs and policies were not put in place to enable us to reach them.

We are tackling a waste management system that has traditionally been heavily weighted in favour of simply finding disposal sites instead of reducing the amount to be disposed of in the first place. With this legislation, and regulations and programs to follow, we intend to require municipalities to account for and maintain records of the full cost of waste management facilities and to establish disposal fees which are substantial enough to reflect those true costs.

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At the same time we will expedite approvals of 3Rs facilities, such as composting and recycling plants, to remove some of the barriers that have impeded their establishment up to now.

This act will help us to improve the public's ability to carry out the 3Rs so that waste reduction measures are consistent across the province. This means mandatory recycling and leaf and yard material composting programs in all the larger municipalities. This will allow more people to share the benefits enjoyed by those who live in our already waste-conscious municipalities.

In the industrial, commercial and institutional sectors which account for some 60% of the solid waste now going to disposal, the act will allow the province to require annual waste audits, implementation of waste reduction action plans and recycling programs in designated large operations. A growing number of companies and institutions are already doing these things to achieve substantial waste reduction as well as significant improvements in operational efficiency. This legislation will help us in bringing the rest along and establishing a fair and competitive environment.

This legislation also extends our ability to deal with packaging and containers, which make up an estimated 21% of our waste stream, and in addition, to deal with disposable products and products that pose other waste management problems. Here too we expect to develop an effective program of waste audits and waste reduction action plans.

Sections of the act focus attention on the greater Toronto area where we have close to four million resident

making up about 44% of the total Ontario population. It is in the GTA consequently that we find the greatest need for solutions to deal with disposal sites that are rapidly reaching their original design capacities. At the same time, this concentration of population and economic activity provides the greatest possible opportunities for success in 3Rs initiatives.

We have established the Interim Waste Authority to provide provincial leadership to the GTA in establishing long-term waste disposal facilities and seeing them through the environmental assessment process. The act before us today provides some of the authority essential to achieving this goal.

The act also provides for implementation as required of some of the interim GTA waste disposal decisions which have already been announced and discussed in the Legislature.

Current estimates of waste disposal indicate that capacities at the Keele Valley and Brock West landfill sites are greater than were expected some months ago. Ministry staff are evaluating these latest estimates, and I look forward to seeing how they hold up. Obviously those estimates have significant bearing on the need for actual use of the interim capacity measures, specifically for example, the need for one transfer station in Durham region and the need for a lift at the Keele Valley landfill site.

Regardless of changing estimates, however, all our information does point clearly to a need for a lift at the Britannia Road landfill site in Peel region starting next year. The risk of not preparing for interim capacity at Keele Valley and Britannia Road is one I cannot take for the sake of both the environment and the economy of the greater Toronto area.

The act before us today reflects in varying degrees all four of the basic environmental policy directions this government has established.

It encourages a green government approach to waste reduction at the regional and municipal level in tune with provincial initiatives, including the waste reduction efforts led by the Ministry of Government Services.

It helps provide a better environment for stewardship, with opportunities for industry, commerce and institutions as well as the general public. The consultation we have begun on the proposed 3Rs regulations ensures full public access to the process of developing the forms this stewardship will take. With the strong emphasis placed on waste reduction, we are implementing conservation over consumption and creating conditions more favourable to conservator approaches.

Similarly, the act will help us prevent pollution. It will help us guide the public, governments, industries, commerce and institutions in anticipating and reducing the production of waste materials and diverting others from disposal into productive use. These basic policy directions will continue to be paramount as I bring forward further legislative initiatives, policies and programs.

These approaches have been incorporated into the municipal-industrial strategy for abatement. The MISA program is focused at more than 300 industries discharging directly into our lakes and rivers and more than 12,000 industries which tie into our sewer systems. We have

strengthened that program to emphasize pollution prevention and to reduce the discharge of persistent toxic contaminants by reducing the use of these contaminants in the first place.

These new directions I am implementing share the values and reflect the principles adopted by the Ontario Round Table on Environment and Economy, which I am privileged to chair. The government is continuing to look to this multistakeholder group for the strategic planning essential to the development of a conservator society in an environment that will nurture and sustain quality of life as well as healthy economic activity.

As a government, we are convinced that solutions to environmental problems cannot wait for more prosperous times. The challenge before us is to develop creative programs to respond to the need for immediate and strong action and to do this in a way which is fiscally responsible.

When we look at the role of various economic sectors in environmental protection, we are looking to more than just reducing the environmental problems they create. Now we are seeing the greening of industry, which in turn has led to green industry, where pollution prevention is the key principle. The government is working with business and industry to increase their competitiveness in a world market for environmental expertise which could exceed \$200 billion.

In developing comprehensive programs which emphasize pollution prevention as well as the other policy directions I have outlined, the Ministry of the Environment is providing a spur to all industries to come up with technological advances to meet our regulations. The ministry wants to establish an environmental climate which will encourage industry to bring about this kind of development.

The government is on the road to providing the people of Ontario with the quality of life to which they aspire, in an environmentally sustainable economy. Reducing the amount of waste we produce and disposing of the residue in an environmentally sound way is an important step along that road and I welcome the opportunity to debate those principles and this legislation in this Legislature.

The Deputy Speaker: Are there any members who wish to participate in this debate?

Mr Sorbara: I want to advise my colleagues in the House that I intend to speak at some length on this bill.

An hon member: Surprise, surprise.

Mr Sorbara: There is the say-nothing member for Middlesex shouting out her insults again, sent in my direction during—

Mrs Mathysen: Mr Speaker.

The Deputy Speaker: Please take your seat. Yes, I understand. You were not the one.

Mrs Mathysen: That is right.

The Deputy Speaker: Take your seat, please. It was not the member for Middlesex; it was another member.

Mr Sorbara: Then I would apologize to the member for Middlesex. I am so accustomed now to hearing insults hurled at me from her during the course of deliberations in

the standing committee on administration of justice that I just naturally assumed, and that was in error.

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Interjections.

Mr Sorbara: I guess we are going to have a lot of interjections through this. I will just try to ignore them as best I can.

I plan to speak at some length on this bill. Members will be hearing through the course of a very long debate arguments that I think will establish conclusively that the best course for the Minister of the Environment would simply be to withdraw this bill and start again. I will be making submissions to the House as to why I consider that to be the only appropriate course.

I want to say at the outset that the members will be hearing very strong arguments from a number of our members, not just members from ridings in the greater Toronto area but from members representing all parts of the province, because in our view the draconian nature of this bill can and will have implications for every single community in Ontario and indeed beyond that to the whole course of solving our environmental problems and working out environmental solutions in Ontario.

It is difficult for me to believe that the Minister of the Environment, the member for Etobicoke-Lakeshore, could actually allow her name to be associated with this bill, and I say that as honestly and as straightforwardly as I can. I have several reasons for saying that, but the one I think is paramount in my mind is the extent to which the Minister of the Environment, when she sat on this side of the House—I think the Chair was just directly in front of me here—was an outspoken, articulate, powerful and respected advocate on issues relating to the environment.

It went beyond the role her leader, the now Premier, had assigned to her as Environment critic. You could tell, particularly in the interchanges between her and the member for St Catharines, while he was Minister of the Environment, that she understood the issues. In particular, she understood the extent of the right to be heard that the laws of the province had vested in the people of Ontario, which was paramount in her understanding of environmental issues: the right to be heard, the right of a community to participate in the decisions that would affect them.

She went so far, during the course of the last Parliament, as to introduce an environmental bill of rights. That legislation was never passed, but it vested in individuals and groups in a community the opportunity to take their case to an independent tribunal and to have it deliberated upon.

The essence of Bill 143, the bill she introduced in this House a few days ago and now sponsors in second reading, the kernel of the bill, is to abrogate the rights of citizens in virtually every respect and virtually every law that has governed environmental protection, I say to the minister, since we started legislating in those areas in this Parliament. She laughs. When I say that, she laughs. I am going to get into why that is the case, but I will just set it out for the members, because it is important we get to that matter urgently.

This bill provides that, by order, the Minister of the Environment can, under her pen and under the authority of Bill 143, order that there be an additional capacity at the Britannia landfill site and order that there be additional capacity for Metro's garbage at the Keele Valley landfill site, without the ability of the citizens of this province to be heard on the matter.

This is how far it goes. This bill allows that the order of the Minister of the Environment bypasses the Environmental Assessment Act, which she used to believe in, the Municipal Act, the Planning Act, the Ontario Municipal Board Act, and even beyond that, the rights that accrue to municipalities under private contract.

What are we left with? I will tell members what we are left with. After her order comes down, under her signature or the signature of one of her directors, the people of the province have an opportunity for 21 days to express their view in writing, and that is it. After that the matter is closed, and after that the garbage trucks come, and after that her will shall prevail. This is rule by royal prerogative and it looks very bad on the now Minister of the Environment, a former champion of environmental rights: 21 days to respond in writing; no hearing.

I, as a representative of the people of York Centre and the Maple community and the Vaughan community, and thousands of others who might have something to say in the process of a hearing, are told that we have no right at all to be heard. All our democracy, all our rights legislation, everything we believe in as legislators, is based on the right to be heard and she has presented us with a bill that says: "You shall no longer have those rights. I can personally order the expansion of a dump. I can personally inflict that on the people of a community"—Peel, York region, and by extension really anywhere else. If this passes, this sets one of the most dangerous precedents in environmental regulation and environmental management of any jurisdiction in North America, the denial of the right to be heard.

Imagine if in this Legislature the government were able to bring forward a bill and say: "There's going to be no debate. If you have a concern about it, write us a letter. Send us your views by mail."

I want to tell members what that is like. My constituents have been writing the Minister of the Environment for months. They have been communicating by mail. They are not given an opportunity to meet her personally. That would be too much. But they have been writing her. Do members know what they get? No answer at all; no response.

Let me just give members one example. This her across the floor, who talks about the 3Rs—

Some hon members: Heroine.

Mr Sorbara: I do not want to make it a sexist differentiation. This hero or heroine of the environment proclaims that she is going to implement the 3Rs in Ontario. Let me just tell her a little story or two about that.

In the municipality I live in, York region, they are anxious to get on with the 3Rs. In fact, they are anxious to build a recycling depot and a composting depot. Do members

know what? They cannot do it, and they cannot do it because under the Regional Municipality of York Act, passed by this Parliament, they do not have the authority to do it. They need a change in legislation. It is not a big change in legislation; it is a very small amendment to the York region act.

They bought a building to get on with their plans for dealing with her majesty's 3Rs. They paid money for the building. They developed plans to use that building for recycling and composting, but they need authority to do that. They were limited in their authority and asked the previous minister, the member for St Catharines, for that authority. He said, "Yes, we will bring forward legislation." Then there was an election and he was no longer the Minister of the Environment. That gives members a sense of how long ago this matter emerged.

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They needed the authority, so they wrote when the new minister was sworn in. They asked that a bill be brought forward by her or the Minister of Municipal Affairs to empower them to do this. The letter came from the chairman of York region, as would be appropriate. Do members know what the Minister of the Environment said? Nothing. There was no response whatever, no letter back saying: "Thank you for your letter. I understand. Yes, I'm in favour of the 3Rs," or: "No, I'm not in favour of the 3Rs. That will be very difficult. The legislative calendar is very busy." Nothing, no response whatever.

The chairman of York region wrote a letter and asked the Premier to ask some minister to get on with that, with a simple amendment to the York region act. Do members know what the chairman of York region heard from the Premier in response? Nothing. No letter, no phone call, no postcard, no suggestion that, "Yes, we'll deal with that down the road." Nothing. Do members know what? The bill is still not in the House.

The Minister of the Environment, who stands up here and unabashedly proclaims her belief in the 3Rs, has not got the decency to advise York region whether she will bring forward such a measure. I find it hard to believe. It is a very good example of the extent to which what this minister and this government say about environmental issues contradicts what she and her government actually do.

Now, as she perhaps exits from the chamber, I would like to tell my colleagues in the chamber how we got into this mess in the first place. It is a mess. If any members were at the demonstration outside this morning and saw the hundreds of people who were here from the city of Vaughan and York region and the locality of Maple, they could see the anger and the resentment in their faces, all of them working men and women who have other things to do than come down here and protest. When a community rents buses and books off work and arranges to come down here for a demonstration, there is something seriously wrong.

Let me explain to my friends what went wrong. I want to take members back to the election campaign of the summer of 1990. Very serious environmental issues arose at that time. I do not want to go through every single promise the member for Etobicoke-Lakeshore, now the Minister of the Environment, and the member for York South, now the

Premier, made during the course of that election campaign. I think, though, of her promise to immediately bring in an environmental bill of rights.

I too will be signing Christmas cards during the course of the next month and a half, but not during this debate, I say to the Minister of the Environment.

I want to take her back to the election campaign. There was concern at that time that our government was going to take measures to identify a landfill site in Whitevale in the community of Durham or in my own home community.

Hon Mrs Grier: Where was the public process then?

Mr Sorbara: The Minister of the Environment asks, "Where was the public process then?" I want to tell her that in saying that, she admits there is no public process in this bill.

Let's go back to that election campaign. Concerned that the government was going to put into place a public process for consideration of a landfill site in Whitevale and the expansion of Keele Valley and perhaps Brock and Britannia, the Leader of the Opposition at that time, the member for York South, the person who is now the Premier, visited every one of those sites. Our friend the member for Durham West was there, so he knows the lie. He knows the extent to which the Premier and the Minister of the Environment and the government of which he is a part broke their word.

Mr Wiseman: No, they didn't.

Mr Sorbara: My friend the member for Durham West says, "No, they didn't." I have the transcripts.

Hon Mrs Grier: On a point of order, Mr Speaker: Will you ask the member to withdraw that allegation, please?

The Deputy Speaker: I frankly did not pay total attention. If there was an offence, I am sure the honourable member will recognize it.

Hon Mrs Grier: The member used the word "lie," Mr Speaker.

Mr Sorbara: There is no offending statement, Mr Speaker.

The Deputy Speaker: I will review the transcript, but if there was an offensive word used, I am sure and positive that the honourable member will withdraw it. Please continue the debate.

Mr Sorbara: There was nothing offensive in what I said. I am simply putting the facts on the record in this House. Talk about offending statements. Let me defer for a moment. The now Premier, in launching his campaign, said to the people of Ontario, "David Peterson lied to you about automobile insurance." I am quoting the now Premier.

Hon Mrs Grier: What about the deficit? What about the surplus and the deficit?

Mr Sorbara: No, I am quoting the member for York South. A year later, the Premier, without any embarrassment, without any shame, without an apology to David Peterson, simply withdrew his plan for public automobile insurance. We now have the bill that David Peterson and the member for Bruce brought forward and passed in this Legislature.

There is nothing offensive in what I said. I am just putting the facts on the record. The facts are these: The now Premier stood in my riding, at the edge of the Keele Valley landfill site, and promised to the people of my riding that an NDP government would not allow any expansion of the Keele Valley landfill site without a full hearing and assessment under the Environmental Assessment Act. That is what he said. That is not conjecture. It is not faulty memory.

Mr Stockwell: Verbatim.

Mr Sorbara: It is verbatim. That is what he said.

Just to build the argument, the now Premier of the province also said, when asked about the cynicism about politicians, and I am quoting more or less verbatim, "I think it comes from politicians saying one thing when they're in opposition and another thing when they're in government." There is no more startling example than the betrayal—is that unparliamentary, I ask the minister who is signing Christmas cards during this debate?—of the word given by the Premier of the province to the people of Maple about expansion of the landfill site. He did not qualify it. He did not say, "We're going to examine the extent of the emergency, and if there's no emergency, then we will have a full EA."

That put us on a little bit of a spot. We were in government and we had a responsibility to make sure to the people of this province that we brought forward policies that were both realistic and vested real rights in the people. So we said, and we took our hits for this: "We're not going to go through a process under the Environmental Assessment Act. We will go through a process under the Environmental Protection Act."

There are all the same opportunities for a hearing and to submit one's case that exist under the Environmental Protection Act. The only difference between the two acts in that regard is that under the Environmental Assessment Act a review has to be undertaken of all the other options and alternatives to using that site. Under the Environmental Protection Act, you have to be as scrupulous, thorough, scientific and environmentally correct in the choice of sites as the other act. The only difference is that you do not have to look at alternatives, other locations or other technologies. During the campaign we undertook to do just that.

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The now Premier was more absolute in his undertaking, in his promise to the people. He said, "We are going to have a full hearing of the kind that the people of Maple want and expect." It is now one year and four months since that time. The Premier broke his word. The Premier and the Minister of the Environment are doing exactly what they said they would not do, that they would not abrogate the rights of the people, that in fact they would turn to the act that vested the most thorough and comprehensive rights this province has in environmental legislation to protect their interest.

This was the Premier who said David Peterson lied. This is the Premier who said we had misled the people. Bill 143 is a great fraud on the people of Ontario. It is the most serious deception one could imagine from a minister

who used to enjoy some confidence on environmental issues.

Let me explain why it is such a fraud on the people of this province. It has all the rhetoric of good environmental policy in three of its four parts—unnecessary, by the way, because what the minister wants to accomplish through this bill in the area of the 3Rs, reduction, reuse and recycling, is all possible without this legislation. She has the authority to do it right now. One of the reasons we have a bill here is because her plans are not ready, so she delays with legislation.

All of this nice rhetoric contains a poison pill so serious that it will destroy her credibility and the credibility of her government for the balance of its term in office during this Parliament. I vow to my colleagues in this Parliament, I vow to the people of my community and I vow to the people of Ontario that I will move heaven and earth, I will do everything in my power to make sure that discredit, which is so deserved now because of what has happened, becomes a reality.

How did we get into this mess? I think the first mistake happened on September 6, but that is now history.

Shortly after the Minister of the Environment was sworn in, she began making statements setting out her government's policy on garbage and waste disposal. In every single instance she wrapped her words in fine rhetoric. Maybe her time in opposition was just a matter of fine rhetoric too.

I go back to November 21, 1990. The minister made her first statement in the Legislature. She revealed her conservator action plan. This plan reordered the 3Rs, putting priority with reduction first, then reuse and, as a last resort, recycling. Very fine words. Then comes the beginning of the poison.

She said there was going to be an Interim Waste Authority to look for a permanent site. She said at that time as well: "We are not going to consider Whitevale. We do not need to consider Whitevale." She said with such gall in this Legislature her plans would be so successful that there was going to be no garbage gap. That is to say, there would be no need for an interim site while her Interim Waste Authority found a permanent site, no gap. She said it in here, and I will sit down and take my seat if she wants to stand up and deny she said it. She said, "There is going to be no garbage gap." I see she is not asking for the floor. She is still signing Christmas cards.

In her November 21 statement, the minister made statements indicating there would be no garbage gap in the GTA because her waste reduction regulations were going to be effective and she was sure the people of the GTA would be successful in diverting enough waste from landfill to extend the lifespan of the current landfill sites until long-term sites were approved. Now we know that was not true. She said there would be no gap, and now we are debating a bill which clearly acknowledges that there is a gap, that we are going to need some interim capacity and that she will, by divine right, determine where that garbage shall go.

She has determined now that it is going to go to Maple a riding represented by a Liberal, by the way. It is ver-

interesting. It is not going to go into Whitevale because the premier stood there as well. "If you are going to take a hit, take a hit in a Liberal riding," says the Premier. "My God, it's not take a hit where we won a seat. Take a hit in a Liberal riding. After all, they've had garbage there for 20 years so what difference does it make." Take the hit in the Liberal riding and do it under Bill 143 in a way that does not give the people the right to be heard.

It is not going to work. The people of Maple are going to be heard. The people of Vaughan are going to be heard. The people of Ontario are going to be heard. The minister cannot rule by divine right of kings or queens any more. That is what Parliament was all about.

She says she needs the bill by Christmas. That is three readings. "Get this over with. Just get me out of here. Get the Legislature closed down. I need the bill by Christmas." The minister has not yet abrogated the rights of parliamentarians to be heard in the Legislature, and we will be debating this bill long after she has been discredited by every environmental group, not only in Ontario but in Canada.

If the minister presents a bill that says the people of Maple will not be heard, we have to speak for them. We have to talk and talk and bring it to the attention of every group, of every community, that the Minister of the Environment now rules by what she thinks is best.

It was back on November 21 when the minister first said there would be no garbage gap and no need for an interim study. We said then that we hoped she would be right, that we hoped we could have a new place to dump this garbage that is being produced so rapidly. We said when we wished her well on that agenda. We do wish her well on that agenda and we want her to get on with that agenda.

But we said at that time as well, "Now, look. You have taken Whitevale off the list of possibilities. So that means, any extension, that you have reduced the number of sites that might be suitable for interim capacity. Even if you don't need them, get on with the hearing process. Start one now. Identify and admit that there is a possibility."

She refused to do that. She said, "No, I don't need that." This was a year ago today short two days; it was November 21, 1990, when she said: "No gap. No need for a hearing. It's okay. I am going to look after this with my MRs. We don't have to do this." A year later a bill comes before this House with a poison pill in it that abrogates the rights of citizens right across Ontario to be heard.

We will not even ask for the Environmental Assessment Act any more. That is what they promised, but we will not ask for that. No. It is okay. Just give us something. The Environmental Protection Act: There is a law they are responsible for. Let us be heard. Let us make our case.

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I want to tell members why the minister will not do that. It is very simple. Because if anyone put forward a proposal to expand the Keele Valley landfill site and increase its capacity for garbage, it would never survive a hearing. It would be rejected by just about any environmental panel we could put together. It would not survive it. It would be rejected. It would not pass. It would not come up to speed. It would not meet the standards we now put in

place to determine where our garbage should go, to the extent that it goes in a hole in the ground.

The minister would lose. Metro Toronto would lose. The panel, after hearing all the evidence, would say: "Sorry. That site is not appropriate." So the way you get around that if you are the Minister of the Environment is you say, "There's going to be no hearing." Now it starts to make sense why this whole thing is there: "Liberal riding. The people have had garbage in their backyard for 20 years. I don't upset another community. I know it won't pass the standards that apply to these sorts of things, so I'll take away the right to be heard. I'll even take away the rights that accrue under a private contract."

The minister can, just with the stroke of a pen, eliminate a private contract. By the way, there is a contract between Metro Toronto and York region and the city of Vaughan, and do members know what that contract says? When the current capacity is met, they will never apply for additional capacity. That is what the contract says. That is what a judge would read when he read that contract when someone came to ask him to enforce it.

So this minister says: "I have to find a place for garbage. I've got a garbage gap. It's not like 1990 when I said there was no gap." She actually believes that if she says there is no garbage gap, there is no garbage gap, and when she says there is a garbage gap, there is a garbage gap.

We could have been a year into the hearing for the expansion of Keele Valley by now. Do members know why the minister would not allow that hearing and now presents a bill that says such a hearing will be illegal? Because it would not pass the standard. It is simple. It would not pass the standard.

Why would it not pass the standard? I will tell members why. Generally, in Ontario and in Canada, we do not put garbage sites in the middle of cities, in the middle of urban areas. We do not do that. Actually we have never done that. It used to be, when Ontario was basically a rural province and most of our forefathers lived on farms, there was very little garbage, and to the extent there was garbage there was the back-40. You dug a hole and you put the garbage there and no one ever thought about it again.

Now we still look for some sort of 1991 version of the back-40, and that is not in the heart of the city. Let me tell members what has happened in Maple since the dump that is now in existence was approved after a hearing. Since then an urban community has grown up all around the area. Thousands and thousands of people have moved into the area. Under laws passed by this province—the Planning Act, the Municipal Act, the Regional Municipality of York Act and the Township of Vaughan Act—laws that allow for communities to grow, an urban area has grown up.

In fact, the city hall for the city of Vaughan is directly across the street from this landfill site. All of that community grew up on the basis that a private contract and the laws of this province would provide for the closing of that landfill site some time in the 1990s and no later than the year 2003. People moved there on the basis of that undertaking. People bought houses. They brought their children to schools. They set up businesses. It is an urban area now.

I used to live there. It is a beautiful community. Thousands and thousands of people have moved in.

There are a lot of things that go towards the setting of standards you apply in determining where a landfill site should go, but one of the first is that you do not put it in the middle of a builtup area. That is why the minister will not have a hearing, because it is a builtup area now. The dump is in the middle of a city. I invite any member who is interested to come out and see. You do not need to fly over it to see. You just have to drive there. On the one side are city hall, houses, schools and businesses, and on the other side of the street is Canada's largest dump.

Mr Stockwell: Bob Rae saw it.

Mr Sorbara: The Premier was there. He saw it. He was probably encouraged to make that kind of commitment because he knew this place would never pass the scrutiny of any hearing process under the Environmental Protection Act or the Environmental Assessment Act.

Let me tell members something else. This site sits on top of the headwaters of the Don River system in southern Ontario. It is in the Oak Ridges moraine. This government put special protections in for the Oak Ridges moraine. So we have a landfill site on the Oak Ridges moraine and the headwaters of the Don. They tell people they want to clean up the rivers, yet they are going to pile a huge new capacity for garbage right on the headwaters of the Don.

Everything we know about dumps says it does not matter how much clay you put in, sooner or later they leak. Sooner or later the effluent goes through the clay and into the ground water below. That is why when we were in government we put in special protections for the Oak Ridges moraine. That is why we began that process. Now the Minister of the Environment, knowing that an expansion of Keele Valley would not survive a hearing process, brings forward a bill that says, "I'm ordering that Metro Toronto do all the engineering to expand it and I'm going to prohibit a hearing." This is the most offensive kind of injustice that could ever be done to the people of the province.

We were at November 21, 1990. Things proceed apace. The minister slowly started to intimate in speeches and announcements: "My goodness, maybe there's going to be a waste gap, a garbage gap. Maybe we'll need additional capacity." So her next strategy was to wrap the next announcement in language that made her look progressive to a very small group of people in Ontario. She said the garbage had to stay in the home communities.

This is interesting, because Metro Toronto had spent about \$10 million developing a plan to transport its garbage by rail to a site in the Kirkland Lake area, not in the community of Kirkland Lake but in an abandoned open-pit mine in the Kirkland Lake area, an area so uninhabited that it is not organized into any municipality whatever. I am not saying that was an answer to the garbage problem; I am simply saying Metropolitan Toronto was working on plans to do that and was preparing to bring a submission to a hearing to determine whether that was an acceptable solution under environmental principles.

1630

The Minister of the Environment did not tell them not to do it when she took office. She did not say, "No, don't spend that money," until April 2. That was the day the Minister of the Environment really screwed up the works. She said to Metro Toronto: "Just cut that out. Cut out that business of sending garbage to Kirkland Lake. Don't even think about it. Under my plan garbage stays in your own municipality." She would not even allow Metropolitan Toronto have its proposals considered under a hearing process.

This is the minister who wanted an environmental bill of rights. This is the minister who used to champion the rights of citizens to be heard. So citizens in Metro said: "We take her at her word. We want a hearing for this. We don't demand that this be the solution. We just want it to be heard." She said again: "No hearing; that doesn't fit within my plans. I've got a different plan. The garbage stays in the backyard."

Her announcement at that time was very interesting. She said the people of Peel region would have to find a site in Peel region for the garbage they produce, that comes from their homes and their businesses. "We want a site in Peel for the garbage Peel produces."

She said to the people in Durham: "You will find a site in Durham to dump your garbage. You're going to keep your garbage at home. That's going to force you to reduce and reuse and recycle. You have to find, I say to the people of Durham, a site there."

But she said to the people of York region that they would have to find a site in York region not just for the garbage of York region—that would be easy—but that the people of York region would have to find a site for all the garbage of Metropolitan Toronto. How fair is that, talking about fairness, the party that champions fairness? I want to make the point again. Can members imagine that by fiat of the Minister of the Environment, York region is now responsible for having a site within its borders to deal with all the garbage generated by 2.5 million people in Metropolitan Toronto? Why York region?

If you believe in environmental principles it does not make any sense. Even if you were going to be fair, if you were going to be stupid and fair, at least you would say the garbage from Metro Toronto would be equally allocated in Peel, Durham and York. Those are the three municipalities that border Metropolitan Toronto. That would be stupid but it would be fair, I think.

We could not believe it that day when she made that announcement. We could not believe she would be so utterly arbitrary, insensitive and vicious to the people of York region. Yes, there are two Liberal members representing that area, but surely the minister is not so crassly partisan as to take that into consideration—or maybe she is.

I have been pleading since that announcement for one justification as to why York region becomes the situs for the landfill facility for Metropolitan Toronto, and I have never been given an answer, not even the courtesy of a reply. Why not Durham? Are there too many NDP members from Durham? Why not Peel? Are there too many NDP members from Peel? Why not Simcoe? Why not

Essex? Why not Kent? Why not Stormont, Dundas and Glengarry?

Mr Villeneuve: It's too far—and East Grenville.

Mr Sorbara: Now the member for S-D-G & East Grenville says it is too far. I think it probably is too far, but why York region?

Let me put it this way: Let's examine the standards of the Minister of the Environment on this basis. Let's assume that just across the border from York region there is a site that is A-1. It is perfect. It has all the geological and geographical attributes that make it the site for garbage. Let's assume that site exists out there, somewhere beyond the boundary of York region. The Minister of the Environment says, "I prefer a second-class site in York region over a site outside the boundary that is environmentally superior."

How can that be? How can a minister who says, "We want to base our environmental initiatives on the highest of standards," say that an inferior site in York region shall be preferred to a site outside York region that is superior as far as garbage is concerned? How can she do that? What are her standards? Are they just political? Is it just convenient? Is she saying to the people of Maple: "You've taken garbage for 20 years and you're represented by a Liberal. We've got to put it somewhere and there is a garbage dump. Sorry for the mistake I made back in November 1990. We're going to have to do something about it and we can't have a hearing because that site couldn't pass a hearing, so I'll bring forward Bill 143?"

Bill 143 says that all the standards, the rights, the processes we have had to make sure we do the right thing are hereby abrogated. They are denied. They are withdrawn. "Do not look to the Municipal Act. Do not look to the Environmental Assessment Act. Do not look to the Environmental Protection Act. Do not look to private contract. Do not look to anything. I hereby order," says the Minister of the Environment, "that the garbage shall go there. I hereby order Metropolitan Toronto to do the engineering studies. I hereby order that any additional garbage capacity that emerges before the long-term site in York region is identified shall go in the backyards of the new community of Maple.

"I hereby order that," she says to the people of Maple. "I order it. It shall be done," she says, "and I'm going to bring forward a bill in the Legislature that is going to cut off your right to a hearing. You can write me. You've got 21 days to write me and it doesn't matter what you say in those written submissions. After that it is going to be a done deal. I'm tired of this garbage mess," she says. "I've been in hot water on it for a whole year. I can't stand the pressure. I am going to rule by fiat. Rights are denied. Forget about a hearing. Don't write submissions; it's not worth it. The law is going to pass and I'm going to order it."

I cannot believe it. I just keep thinking, is this the same woman who introduced an environmental bill of rights when she was in opposition? Is this the same woman who used to chastise the member for St Catharines for even the most minor exemption from the Environmental Assessment Act? Is this the same member who used to stand in her place and condemn a government for even the smallest

exemption when she knew that the exemption was minor and it did not affect anyone?

Now she is going to expand Canada's largest dump sitting on the headwaters of the Don River in the Oak Ridges moraine. She is going to abrogate a private contract, a solemn undertaking, that the dump would not be expanded. This is interesting, because years ago, when the people of Maple used to raise their concern about the possibility that Keele Valley would be expanded, I used to say to them I thought not because there is a contract, signed by Metropolitan Toronto, that is enforceable in courts, saying that it would never seek expansion. The only way to get around that contract is to introduce a law in Parliament abrogating the rights that exist under those contracts, so I said to them not to worry, that I could not see the then minister ever doing that, that it would be draconian.

Do members know what? Here it is, Bill 143. Part III of this act says she can order it, and she will order it, notwithstanding private contracts. Those private contracts will not impair her ability to order an expansion of the site. What other private contracts will we see the Premier and the member for—

Mr Scott: Where's Bob Rae?

1640

Mr Sorbara: I tell my friend the member for St George-St David that he should not ask where the Premier is. He is somewhere in Europe campaigning for Glenda Jackson to get a seat in the House of Commons. I do not expect to see him back here, given what the Treasurer just did on the budgetary process. Members should forget about the Premier; he is hiding out in Paris, the good life.

My goodness, these guys have come to power and they are just loving it. The Premier is campaigning for Glenda Jackson. Wowee. The Fabian socialists are going to take up new seats, thanks to the Premier over there in jolly England. He is in Paris. He is having a great time, he sends his regards.

The Deputy Speaker: Please speak to the bill.

Mr Stockwell: The only one who doesn't need Prince Charles is Peter Kormos. The only one who's safe is Kormos.

Mr Sorbara: My friend the member for Etobicoke West says the only one who is safe is the member for Welland-Thorold. I am not sure how safe he is. It may well be that this government, in the way in which it now abrogates rights, might just abrogate the right of the member for Welland-Thorold to effectively represent his constituents. They threw him out of cabinet.

The Deputy Speaker: Please, I would ask you to speak to the bill.

Mr Sorbara: I will indeed speak to the bill. We were at April 2 when the minister, of her own accord and without consultation—this is the most amazing part. She did not even phone up or write any political leader in York region or Metropolitan Toronto. She just decided, after thinking about it perhaps after a cocktail party, that Metro's garbage would go to York region. How is that a reasonable environmental decision?

Garbage created by 2.5 million people needs a pretty good place to put it, if you do not use modern technologies, which is what she should be doing. You need a pretty big hole. She decided that it was York region. She said: "No hearing on the Kirkland Lake proposal. That's too far away. You've got to have it in your backyard. After all, Metro's got few sites, so I think Metro's garbage is going to go in York region." Now she is passing a law to make that a reality.

Do members know what? It is not going to happen, because we are going to fight, we are going to oppose and we are going to object. Members probably heard the demonstration here today. That was small; that was peanuts compared to what is going to happen down the road. She cannot just take away people's right to be heard. She cannot just do that. Members should imagine if they are charged with a criminal offence and the prosecution lays out the case before the judge and then the Minister of the Environment says: "Excuse me; the defendant is not going to be heard. The judge shall make his decision based on what he's heard so far from the prosecution."

That is exactly what she is doing in the area of environmental rights, and it will not survive. This bill will not survive if we in the opposition have anything to do with it. I remember the Premier saying "We'll fight this thing till hell freezes over" when he was in opposition.

Mr Stockwell: It must be chilly in Hades.

Mr Sorbara: It is getting awfully cold and it is not just because it is November 19 and winter is approaching. This is a fight. The Minister of the Environment has waged war on the people of Maple, on the people of Vaughan, on the people of York region and on the people of Ontario and we will not tolerate it. Her bill, by the way, says, "You can write us within 21 days with your views on what we decide to do."

I guess that is one of the biggest offending parts of all. If you talk to any individual or group involved in these sorts of matters, you will know, Mr Speaker—and I know that you are interested in this—given the complexity, the scientific information, the environmental information of the documentation in support of a submission or an application for a landfill site, those documents cannot even be reviewed to find out what they really say within 21 days. That was made clear to me by representatives from the municipality. Even in an application for a minor amendment, a variance, before a committee of adjustment, they give you more than 21 days. But these documents are this high. The scientific information is very complex, and often you cannot even understand it unless you are able to cross-examine the scientists who wrote it.

We cannot be heard, we cannot cross-examine. We cannot phone up and say we would like a discussion. She says, "No, no; no hearing." It is clear from everything I have seen and heard on this thing that from day one, from the day she was appointed as Minister of the Environment, someone has whispered in her ear that, come hell or high water, we are going to put garbage in Maple.

She said once that there was no garbage gap; then she said there was a garbage gap; then she said, "We're going

to put Metro's garbage in York region," then today the bill comes in for second reading and it is there. It allows the minister to make an order to Metro.

This bill, by the way, does not ask Metro to consider Keele Valley; it orders Metro to spend the money to do all the engineering studies preparatory to putting another so-called lift on the Keele Valley landfill site. It does not provide Metro with any money to do that; it does not allow it to consider additional sites, it does not allow it to consider additional technologies. It does not allow any of that. It orders them to do that.

Do members know what one of the other great ironies is in this? The scientists—not the politicians who tell you one thing one day and another thing another day in accordance with convenience—say there is another six years' capacity at the Keele Valley landfill site. That is to say, there are six more years that we could be taking garbage there without any application to expand it.

The minister nods, "Yes, that is right." Well, then, why does she not allow a hearing on expansion? She has six years to mount that hearing.

Interjection.

Mr Sorbara: The Minister of Health, signing her letters, expresses her disappointment.

The Minister of the Environment has six years to allow for a hearing. We asked her to call for a hearing a year ago. We asked her simply not to expand it, but if she was even thinking about it, to allow for a hearing. She said no. Then in April, when she said, "There's going to be an interim site, and it's probably going to be Keele Valley," we said, "Let's have a hearing," and she said no. Now she introduces a bill that says, in law, "There shall be no hearing. There is going to be none. We are not going to allow that."

I say to the minister that she will not get away with taking away people's rights. It will not happen.

The Deputy Speaker: On a point of order, please, just to interrupt you for a few minutes: I have reread what was said and I do not find anything offensive to the standing orders. But I would just like to bring to your attention that sometimes we play with words and it may attract or raise the ire of people. I would just caution you to be careful. Please continue.

Mr Sorbara: Mr Speaker, I invite you to come to your own decision on what happened. The words you just reviewed had to do with what happened during the election campaign. I put before you the fact that the member for York South, then Leader of the Opposition, went to the Keele Valley landfill site—

The Deputy Speaker: The decision has been rendered and there is no point in elaborating on it. I ask you to continue to debate on the bill.

1650

Mr Sorbara: I put it to you that I did not say the Premier lied to the people of the province at that time. I just put the facts before you and I will let the people judge. But I remember that during that campaign, the current Premier cavalierly called anyone who got in his way a liar. That is what he did.

Now his Minister of the Environment is introducing a piece of legislation that takes away the right of the people of Ontario to just a hearing; it takes away the right to a hearing. Can members imagine that, that this is sponsored by New Democrats who used to champion fairness and the right of people to be heard? Has the government discussed this in its caucus? Has it any idea what a terrible precedent this is? There are 100 landfill sites in Ontario that are scheduled to close over the next two years.

Hon Mrs Grier: Eight hundred.

Mr Sorbara: The minister corrects me: It is 800. Does that mean that in each case when they have not got new capacity, the minister is going to order their expansion with her new divine right of kings power and prohibit a hearing? That is what I read.

Hon Mrs Grier: That's the legacy of mismanagement we inherited.

Mr Sorbara: Boy, oh, boy. I will just tell you, Mr Speaker, that is terribly offensive. She says, "It's the mismanagement we inherited." Give me a break. The Minister of the Environment says this is mismanagement. A year ago she said there was no garbage gap. Now she says there is going to be a garbage gap. I ask you, Mr Speaker, where the mismanagement is, where the lack of understanding is.

We said when we were in government that there might be a gap and that we would provide for it and let people be heard. She waited two years. She changed her mind over and over again, and then she says there will be no hearing, and she says it is because of mismanagement back then.

Is that the style of the minister? Is that the policy of the government? If it finds mismanagement, it takes away people's right to a hearing. That is good. Let's apply that to the justice system. There is mismanagement of the courts. Perhaps we were in part responsible for that. So we will take away the people's right to a hearing. We will take away a defendant's right to defend himself or herself. Let's apply that to the Ontario Municipal Board. The municipal board is mismanaged. Perhaps we are partly responsible, do you know what? "We will take away the right to a hearing." That is what she says.

Maybe this is just the beginning. Maybe this is really what this government is all about. It will point to mismanagement when the Tories were in government and when we were in government. It will go back as far as it can. Remember, this is the Premier who said in this House not very long ago, "We have to stop the finger-pointing." She just pointed her finger at me and interjected and said, "It's because of the mismanagement you guys were responsible for." But that is not finger-pointing, by a minister who said a year ago, and less than a year ago: "There's no garbage gap. We have it all solved."

Maybe it is just taking her a little bit longer to get into her portfolio than we had expected. We thought she believed in rights. We thought mismanagement was not the criterion to determine whether or not people had rights. We thought that a Parliament in a democracy was about creating rights and empowering people and investing rights in people. But now we have something different from the Minister of the Environment. She is the leading edge of

this government, because she says her bill is leading edge. This is great stuff, she says, Bill 143, "Boy, it allows me to do all sorts of things on recycling."

Talk about mismanagement for a moment. The Minister of the Environment, shortly after she was sworn in and started down this road, promised this Parliament that she would introduce a bill creating the Interim Waste Authority in the spring of 1991. She said, "I will be introducing a bill to create this new corporation that is going to solve our problem." She promised. Talk about mismanagement. She accuses us of mismanagement. Six months later we have a bill. Talk about mismanagement. What about doing what she says she is going to do?

I kept asking for the bill during the spring session. "I really do not need it," she said, "in order to create the authority." I said, "But what about what you said in the House about the fact that you would present a bill, that you would not do this except under legislative authority?" "I am sorry; you are not getting a bill."

My constituents wrote; they did not get an answer. I wrote; I did not get an answer. Talk about mismanagement. Talk about pointing fingers. The minister blames this on us. They have been in power now some 15 or 16 months and she is still talking about mismanagement.

We said there was maybe going to be a garbage gap. We said that people had a right to be heard, that they would be heard and that there would be no expansion of the Keele Valley landfill site except within the context of a full hearing. We believed in people's rights.

This minister says it is okay to take away people's rights if we can point a finger at mismanagement in the past. I think that is a shocking admission. I think that is the most cavalier denial of democracy anyone could ever come up with.

Hon Mr Laughren: Oh, shocked and appalled.

Mr Sorbara: Well now, there is the Treasurer interjecting, not from his seat. I do not want to get on to what he did today. Talk about mismanagement, and there is the Treasurer. If we talk about mismanagement, two weeks ago—

Mr White: On a point of order, Mr Speaker: I believe we were supposed to be speaking about Bill 143.

The Acting Speaker (Mr Villeneuve): That is not a point of order. The honourable member is basically on topic.

Mr Sorbara: The Treasurer asked for it. The member for Etobicoke-Lakeshore, the Minister of the Environment, says this is all because of Liberal mismanagement. Then the Treasurer, from some seat somewhere in this House, shouts in agreement. Talk about mismanagement: \$2.1 billion in mismanagement. He says it is the feds' fault. He says he is going to go, cap in hand, to the federal government to ask for \$585 million. He is going to do that, and he says he is going to do that in the same speech in which he condemns the federal government and accuses it of being the source of much of the problem.

I want to tell the Treasurer something while I am on the point. The federal government has a discretion as to whether or not to provide the Treasurer with the \$585

million. If it has any discretion whatever, his little finger-pointing exercise at the federal government is not going to stand him in good stead when that government is thinking about whether or not to salvage his budget, which is now in total disrepair. Talk about mismanagement.

Interjections.

Mr Sorbara: Yes, indeed, I think we need to put the environmental assessments in the hands of the Treasurer, who is a champion in the area of management.

We were travelling through time and I now take you, Mr Speaker, to August 16, 1991. That was the day the minister—outside the House, because of course the House was not sitting in mid-August—

Mr Grandmaitre: She never makes an announcement in the House.

Mr Sorbara: My friend the member for Ottawa East says the minister never makes an announcement in the House. That reminds me of something I wanted to get on the record, the fact that when this bill was introduced on October 24, the minister did not have the courage simply to stand up during the period set aside for ministers' statements to say what has been normal and customary during all the five or six years I have been in this Parliament, to stand up and say words to the effect that: "Mr Speaker, later today I will be introducing a bill to deal with waste management in the greater Toronto area and to amend the Environmental Protection Act. That bill will blah blah blah"—you have heard them over and over again, Mr Speaker. The fact that she did not have the courage to stand up and do that and that she just quietly introduced it later on in the day suggests to me she is running scared.

1700

You do not get away with that in parliaments of this sort. When you offend the opposition and you thumb your nose at the opposition, you are in for trouble. I tell my friend the member for Ottawa Centre that her colleague the Minister of the Environment is in for trouble on this bill.

I want to set out to members my position and the position of our party on this bill. We will fight it. We will oppose it. We will urge the minister to separate off and segregate part III so that we can get on even before Christmas with the passage of the rest of it, which is all sweet and honey and offensive to no one. It does not really do very much. They are nice words. We will get on with that to sever off this part and withdraw.

On that basis we would be willing to go forward with Bill 143. On the basis that in this sweetness and honey the minister has put forward a bill that contains a poison pill that is deadly when we think about the rights of citizens, I want to let her know now this bill will be debated and debated and opposed by this party and this opposition for as long as is necessary to convince the government it has made a terrible mistake.

Mr Cousens: The previous government has a certain amount of accounting to do. My friend the honourable member for York Centre—they have two or three over there.

An hon member: That's it.

Mr Cousens: "That's it," they say. You are not sure in this business until election day.

The Liberals developed this whole Interim Waste Authority. I am interested in knowing why they call it the Interim Waste Authority. Is there not a better name? There is nothing short term about this thing. It is long, long term and it looks as if this government is following right through and making it even longer term. That is a short question for my dear friend.

Hon Mrs Grier: Let me congratulate the member for York Centre on the impassioned defence of his constituents. I can understand the position he is taking. Nobody, I can agree with him, wishes to have waste disposal in their particular area. It is unfortunately a reality of our system that we have to find somewhere to dispose of waste.

I want to point out to the member when he makes the distinction between the actions this government has taken and the policies of the previous government that the policies of his government were to open new sites on greenfields without a full environmental assessment. The choice I made—not a choice I particularly enjoyed making, let me assure him—was that it was better for the environment to continue using existing operating sites for which there was no evidence of environmental damage, and to order studies to make sure there was no evidence of environmental damage, rather than to open up new sites without due process of which I am very supportive, as he knows.

These are not easy decisions to make but the absence of any decisions over the past 5, 10, 20 years about waste management is what has contributed to the position we find ourselves in today.

Mr Stockwell: I want to correct the record on a couple of points the Minister of the Environment brought forward.

The Acting Speaker (Mr Villeneuve): We are addressing the honourable member for York Centre.

Mr Stockwell: And to comment of course on the comments made by the member from the Liberal Party. I am not here to defend the Liberal Party, but I think the record should be set straight on a few of these issues. I was a member of Metro council when these negotiations were taking place. The suggestion is there were greenfield sites the previous government was going to approve without any environmental assessment hearings or public hearings. That simply is not the case. It is simply not true to suggest there were going to be no public hearings or a shortened environmental assessment process. Those hearings were going to take place.

The minister can ask the member who was elected last election and who was at one of these sites where the hearings were and where the drilling and all the scientific evidence was being assembled by Metropolitan Toronto.

I suggest it may not have been a perfect solution. No one was suggesting at the time it was a perfect solution. But I have not seen a single person come forward and suggest that the minister's alternative of simply expanding sites with not one second of public hearing is an acceptable approach to an environmental assessment process. It sickens me that the minister, who stood for all the goodness

that was involved in the environmental assessment process, stands in her place and defends a system that allows two sites in the greater Toronto area to be expanded without a second of public process.

When I sat on Etobicoke council with the Minister of the Environment, she would not allow a basement apartment approval without a process of more than 21 days to be heard. Now she is going to expand dump sites by literally millions of tons with 21 days to write a letter. The minister should not cast stones; she is living in a glass house.

Mr O'Connor: I want to thank my colleague for participating in this debate. One point I would like to bring to the attention of the House is that the regional chairman of York has had an opportunity to meet with the Minister of Municipal Affairs on a number of different issues. The Minister of Municipal Affairs meets with regional chairmen on a regular basis. Meeting with the regional chairman from York, the minister had an opportunity to discuss a couple of different points, one being the 3Rs program and the other one being the 911 system for York region.

There have been things discussed with the government. Maybe the member did not realize those discussions had taken place. I wanted to clear the record and say that the government is aware of some of those problems and has talked about them quite openly. I have contacted the regional chair's office and suggested perhaps we can get together and discuss a few of these concerns in greater detail.

Mr Sorbara: My neighbour the member for Markham is in error. We did not create the Interim Waste Authority. He is right; it is not interim at all. It is a permanent plague on the province of Ontario right now.

I want to thank the member for Etobicoke West for his kind support and for correcting the record in respect of what was happening in Metropolitan Toronto.

I have one final word for the Minister of the Environment. It really saddens me that she would so cavalierly condemn our record and the record of the member for St Catharines on environmental issues. I do not want to give us an A-plus. I rarely talk about our record, but the minister should look at the blue box program which we put into place. She should look at the fact that we increased expenditures on waste management from \$800,000 in 1985 to \$54 million in 1990.

The minister should look at the fact that it was the member for St Catharines, as Minister of the Environment, who really began the 3Rs process within industry. He put into place home composters. He began to provide financial assistance to municipalities. He began the municipal-industrial strategy for abatement program. He worked harder than any other minister in the cabinet I sat in. For the minister to stand up and cavalierly wipe away the record of the member for St Catharines, the former Minister of the Environment, and say, "All my problems as Minister of the Environment have to do with the mismanagement of Jim Bradley," stands in the face of times when she stood up in this House and congratulated him on his progressive measures. It is offensive. It is the kind of arrogance that is going to fuel us and make sure her bill never passes.

1710

Mr Cousens: Bill 143 has been given the wrong name, An Act respecting the Management of Waste in the Greater Toronto Area and to amend the Environmental Protection Act. It is an act of desperation. That is the real meaning of this act. It is a time when the Ministry of the Environment and the combined ministry within the greater Toronto area have no answers any longer and they are about to bring forward some of the most draconian legislation we have ever seen in this House.

People watching the channel will think, "Oh, those politicians are exaggerating." They will come along and say, "Why would you want to argue with someone as credible as the Minister of the Environment?" The fact of the matter is, once we have looked at this bill and studied the issues, the people of Ontario will hopefully have a sense that this bill will seriously undermine previous legislation which has clearly been written to defend the rights of municipalities and people across this province. It is the exercise of power, but when you start seeing power abused and power misused, it has to do with the exercise of judgement.

I really believe that when we start dealing with this bill, we are going to be looking at an issue where the rule of law means something. It either means a great deal or it does not mean a thing. If this bill is able to throw aside significant pieces of legislation and agreements that have heretofore been made in good faith, you are now dealing with something that is called within the legal network the estoppel doctrine, where you are changing agreements and acts without a firm commitment.

Mr Wiseman: On a point of order, Mr Speaker: This member has used the words "Gestapo doctrine." That is an offensive phrase in this House.

The Acting Speaker (Mr Farnan): The member has no point of order.

Mr Cousens: Mr Speaker, estoppel is spelled E-S-T-O-P-P-E-L. I am talking about a doctrine that is accepted within the legal community, and I for one have not used that term. In dealing with the estoppel doctrine, we are talking about quite another form of understanding that is the basis of legal doctrine.

Interjections.

Mr Cousens: This happens in the Legislature.

I would like to touch on a number of aspects with regard to this bill. First, as I watched the monitor and listened very carefully to the presentation by the Minister of the Environment and minister responsible for the greater Toronto area, I have to say there is no doubt that this minister comes across as a very credible person. With her background as the critic for the Environment when the New Democrats were in opposition, there is not a person in Ontario who did not see her as a strong advocate for environmental change and improvement.

The problem we have with opposition is that we are always criticizing, and people see this adversarial system in the Ontario Legislature and in the parliamentary system as something that is destructive. When you look at the comments that were made by the minister, I would like to

say that I agree with a great deal of what she has to say when she is dealing with her policy directives and her policy plans.

The minister talks about it being a green government in her opening comments, where every ministry has to begin to have its own environmental policy and its green plan. I have to say that I think every one of us in this Legislature has to have an environmental sense about ourselves. Certainly it is a credit that every ministry is making that effort to show it is into environment, more than just lipservice and words. I have to commend the Ministry of Transportation. I see initiatives there where they are actually trying to plant trees and they are trying to extend the green areas around roads and there is an emphasis on cleaning up. So there are instances within the ministries. I see the Ministry of Correctional Services having a way in which people who are interned have a chance to start getting involved with some environmental projects. The greenness of government is not something that is a special preserve of the New Democrats, but it is a policy I support. I think we had the beginnings of it with previous governments, but the fact that we are saying it is good.

When the minister talks about stewardship, I agree with her. There is not anyone who cannot begin to admit and to say strongly in the presence of this House and to everyone who will listen that we all have a stake in the environment. When the Minister of the Environment says that, I want her to know that when I get negative in a few minutes, I agree with that principle. I think our stake is bigger than many people would ever believe.

When the minister talks about it being a conserving society—I sometimes wonder what the minister means by a sustainable environment. Is she going back to Schumacher, where small is beautiful? Is that one of the documents she goes back to? He is certainly one of the gurus who talks about sustainable development.

I happen to believe there is a truth there. That does not necessarily answer all the questions that have to do with our long-term plan for protecting Ontario's rights, but everything is interactive. There is a sense that if you can work within your own small unit in your own household and do things correctly there, or within your community or within the greater Toronto area or in the Sudbury basin or in any other area, then you have begun to accept responsibility for the environmental mission we all have to have.

That follows through naturally as you reduce, reuse and recycle. All these begin to have more meaning once you have begun to understand that you have to have your own personal house in order, and then as you have that in order, you can go beyond.

I think Canada had a lot of credibility when we went to the United States and worked on the acid rain amendments to the Clean Air Act because we had taken leading positions and moves within our own environment to reduce acid rain emissions. When we went beyond our borders, we could stand with pride and say, "Look, we're doing something about it." The United States bought into it eventually, so we got the Clean Air Act passed. It would not have happened if we had not been setting an example in the first place.

To the extent that the minister talks about a sustainable development and setting an example within your own home and your own place, I see that as one of those fundamental rules of society. I wish the minister had taken on that conservation attitude, because the Minister of Energy and the people in Energy I think talk a merry tune when they talk about conservation and energy. Certainly our critic, the member for Lanark-Renfrew, understands conservation, but he also understands many other areas that have to do with the whole development of an energy policy for this government, which is lacking.

The minister brings forward what I call credible points of view, and if one were to disagree with them, I do not think he or she understands the policy position she is coming from. I just want to go on record as saying I too believe in a conserver society. Any plans and any proposals and any criticisms I have with regard to her policies and this bill certainly do not represent a disagreement on the fundamental principle of conservation as a conserver society.

Then as the minister goes on indicating another policy, this ministry and government are really strongly proposing, that we want to prevent further damage to the environment, I think that is critical. If there is one thing I want to say, it is that I know the Minister of the Environment certainly does believe that. She has always had that sense of evangelical zeal about protecting the environment over the long term.

So when you see the Minister of the Environment stand up in this House and say, "These are policy statements of our government," I too, as the critic responsible for Environment for our caucus—and I am confident as well our critic for the greater Toronto area—would share those very genuine concerns expressed by the minister. I think what comes out of that are strong, consistent policies of a government that says, "We are then going to take strong action on it."

As I listened to the minister with her presentation, she put a very powerful presentation, as she has on previous occasions, about the 3Rs. I am satisfied that the 3Rs are important. Unfortunately, since she has become known as the minister of garbage, she has really become associated with only the 3Rs. There are a few other Rs I would like to see her think of.

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One is "recovery," the recovery of waste. There are examples now in Japan. It is not necessarily our system but there is a sorting through of garbage that allows people to find waste within existing landfill sites that they are able to recover and find other uses for. I just wonder. If we look at recovery from waste, there are so many things that can be done. I know there is not universal support for it and I will come to that later in my address, but there is energy from waste.

This summer I visited a site in Minneapolis where they were able to generate enough kilowatts of power from waste—it was a whole special system where they separated out ferrous and iron products and glass. They have an active blue box program in Minneapolis. Through this energy from waste they were able to generate enough power for 30,000 homes.

Though this government does not have a policy supporting that kind of initiative, it is being done in other jurisdictions and is worthy of consideration. I am saying we should recover if there is something to recover. What can we recover from oil waste? There is some of it happening now and more and more should. We see it in garage stations. We see people saying, "What can we do with used oil?" They can come back, clean it up and then reuse that oil.

We can see other forms of recovery that can go on. Tires have many other purposes once they have been used as much as they can be on the roads, and that is not to have them stored in huge tire dumps. If the government could use some of the \$200 million that has been collected through the tire tax, then we would begin to see the use of these tires for other purposes.

Recovering useful, beneficial aspects of these products for society is something I strongly support the minister having a look at. We can add another R to the 3Rs, and that is "recover."

"Realism" is my fifth R. What is missing within the legislation before us, Bill 143, and in so much of the quick planning of the ministry, is that it is reactive and does not understand something of the larger time frame required for people to deal with and respond to these issues. It has to do with education. It has to do with getting them to buy into it.

The minister should understand the realism of the cost of land. There is nothing within the Ministry of the Environment that understands the cost of land in the greater Toronto area versus Kirkland Lake. The cost per acre in the greater Toronto area far exceeds the cost per acre at the Adams mine site in Kirkland Lake. The ministry is saying the greater Toronto area must solve its environmental landfill problems within the greater Toronto area and not look outside of the GTA for that. Realistically there are alternatives that can be looked at, that should be looked at and that are worthy of consideration outside of the boundaries which have been struck in the minister's own mind.

I believe the minister needs this R of "realism" because what she is doing is not living up to the expectation that it is going to be difficult to find sites in the greater Toronto area. If we can find hosts willing to take Metro's garbage on a short-term basis, a long-term basis or any basis, is that not something worthy of consideration? Is there not some value in having that included in the minister's thinking?

This government has closed down those options. They have closed down the option of looking outside the greater Toronto area, so if anyone happens to find a landfill site that is a possible opportunity for getting rid of waste but is four feet outside of the boundaries of the greater Toronto area, that cannot be included in the thinking provided by the minister. It is restrictive thinking and it is not realistic when we consider all the implications.

I talked about recovery. Surely we could look at ways of recovering from the waste that is generated as it is. Surely we could have more realism in the policies of the Ministry of the Environment. The other R I would like the minister to look at is "rights," the rights of the people of Ontario. When I call this an act of desperation, I begin to draw in some of the frustration that surely must exist

within this ministry because it has not been able to come up with any better solutions than the draconian methods they are going to institute through this bill that will take away the rights of citizens and municipalities.

You do not believe it until you start to see it within the bill, but the fact is that a number of sections within this bill will begin to wipe away previous rules that have been made. I refer particularly to section 17, where the ministry says that any agreement that has been made in good faith with any municipality, any of the agreements that are inherent in the Municipal Act, the Regional Municipality of Durham Act, the Regional Municipality of Peel Act, the Regional Municipality of York Act and the Municipality of Metropolitan Toronto Act are superseded by this bill.

Not only the ones in legislation that has been agreed to previously, but any agreement, for instance, between the municipalities of Mississauga and Peel. A typical agreement they would have had would have been where there were certain contours agreed on for the Britannia landfill site and those contours then became part and parcel of the understanding not only with the neighbours who live next to Britannia but also in the official plan for the region. Now, because of this bill and the plans within it, all those previous agreements that have been developed over time can be pushed aside and not dealt with in any way.

I find that reprehensible. I find that a removal of rights of people that had been defined, delineated and agreed to earlier. It has to do with estoppel and that whole doctrine of rights that are being removed by government. I have to believe that when people elected their municipal governments last week, they gave them certain responsibilities for things in their communities. What I now see happening is that the Ministry of the Environment and the ministry responsible for the greater Toronto area, one and the same, are going to come into those municipalities and bring about changes in the legislation that will take away the level of responsibility those mayors and councillors previously understood they had. It truly makes you wonder whether this whole system of local government is going to work or be worthwhile when so many of the rights they have worked on and developed over time can now be shoved aside without debate. The only debate that will be held on it is the debate held around Bill 143.

As we listen to the honourable Minister of the Environment, I do not think there is any doubt that she comes forward with a mission and is going to do what she can to support environmental matters. What she failed to develop in her opening presentation to this bill was the nature of the way in which this bill is going to have a long-term impact on the people of Ontario. I do not expect that we have all the perfect answers. I believe there is a need for extensive dialogue on the proposals that have been made by the minister. There should be an opportunity for municipalities and the public at large to have some opportunity, through public hearings, to participate in this debate. We in the Legislature will have a chance for the next several days—as long as we are allowed to, I suppose—at least to outline our views.

I will come back and hope that we will be able to persuade this minister to allow public hearings. Hopefully

this will be referred out to committee and then there will be an opportunity for the people who came this morning. Some 250 were in front of the Legislature from Maple, Vaughan and the south York region. May they also have a chance to come and talk. Indeed, that is part and parcel of the letter that was sent by the mayor of Vaughan, who is calling on the minister to have those public hearings.

We are talking about a bill that has very serious implications for our future. I would like to comment first of all that I am surprised the bill is not broken into at least more than one part. Certainly, as a minister of the crown, the Minister of the Environment can bring this forward as a greater Toronto area bill. But what often happens is that when a bill such as this includes key amendments to the Environmental Protection Act, there are sections within the bill that someone who does not realize that the member for Etobicoke-Lakeshore is not just taking her role as the greater Toronto area minister but is also wearing the hat of the Environment minister might miss.

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I know that it sounds small, but this bill does refer to the county of Oxford. It is cleaning up a certain element of the bill, but the fact is, it does not just deal with the greater Toronto area; it deals with issues and communities outside of Metropolitan Toronto. So for the sake of people who are following this process, maybe in the future the minister, when she brings forward bills, might have some way in which she acknowledges the fact that she is dealing with more than just the greater Toronto area. But it is also the Minister of the Environment talking, so the issues that are brought up in the bill that refer to other areas, the people who read Hansard or get copies of the bills will then be able to know.

I also disagree with the Liberals in that I think the minister has every power to do what she wants to do as a minister of the crown. I do not think there is any doubt about that. She is agreeing with me. But the danger that comes out of it is that the Minister of Natural Resources might come along and start bringing in matters that pertain to the environment. But that is true, and that is what will happen, because there is not one ministry that does not overlap with another. When you are dealing with money, they are all spending money. When you are dealing with environmental matters, certainly municipal affairs are involved, and certainly the other ministries have something to do with it.

Why then should the Minister of the Environment not be named on this bill as a key player in it? She is. It says "The Hon Ruth Grier." Anyone who knows that knows that she is the Minister of the Environment. But I suggest strongly that, in the future, the government make it a lot easier for people who do not understand what is going on in this House by indicating exactly how the breakdown is taking place.

I have trouble. It is all in the way one words things. If you want to give someone a bitter pill, you just put a little sugar around it and then they do not realize just how noxious it is. Interim Waste Authority Ltd: What a name. It sounds as if it is something that is going to be here—what is an interim? I did not get my dictionary out. I should get

my honourable friend who is so good with words over there to dig up the definition of "interim." He might have one.

Interjection.

Mr Cousens: Oh, no. Do not say that, my honourable friend the member for Simcoe East. You will get us kicked out. Interim. There is nothing short-term about the Interim Waste Authority. The decisions that are being made by the authority are having long-term ramifications on our communities, especially wherever the government decides to place this garbage. To me, how interim is interim?

I will be quite candid with you, Mr Speaker. I have got enough other amendments to this bill that I am not going to try to change the name of the Interim Waste Authority Ltd, because I know it is not going to go anywhere. But I want to at least go on the record. There is nothing interim about the Interim Waste Authority. Its time limit could go for a long time, and the people who are looking at this government for solutions, maybe it is only going to be good at short-term solutions. I do not know, but it certainly has a long term ahead of it as we deal with this agency now known as the Interim Waste Authority, a crown agency which is granted the power to expropriate lands for the purposes of establishing a long-term landfill site.

What I see happening here—and there will be an opportunity to touch on it throughout the deliberations of this bill—part I of the bill deals with this whole business of expropriation, and it goes on further in the bill. I wonder how a Minister of the Environment who talks so much about people's rights and the right of the public to be protected can start to bring in the Expropriations Act and put it into the words of this act without necessarily bringing in extra protection for the people whose properties are going to be expropriated. I mean, you are talking about the New Democrats who have always articulated so clearly the importance of having people's rights protected. Well, I tell members, by bringing in the very wording of the Expropriations Act to this bill, it removes the rights of people to challenge what is really going to happen with regard to neighbouring properties.

To me, what we are seeing is a certain amount of confiscation of rights of the public through the introduction of expropriation-right principles of the government on those whose rights might be interfered with. That has to do with injurious affection. What I want to deal with at some point is the effect of injurious affection as it is now understood under the Expropriations Act. Though I am not a lawyer, I have enough understanding to know that you really have only one year during which you can apply for some kind of settlement or recover some lost moneys through injurious affection. If in fact you are only limited to a short period of time when you are dealing with some of the environmental issues that will come out of landfill sites, you are not just talking a short period of time; you are talking about damages that could have, over a longer period, quite a significant impact on neighbouring properties.

It may not be right away that the rats start to appear at the landfill site. It may not be right away that some of the pollutants begin to leach through and become

lume underneath someone else's property. It may not be immediate that you begin to see the effects of those things. That is the case, what we have really got to make sure of is that we do not take away everybody's rights. This government is going to assume the right to be able to go on someone's property when it wants and for whatever reason through a warrant, but you are not going to be able to stop it. You are not going to be able to stop this government from saying, "Look, that property that belongs to whom-ever is going to be analysed and assessed for this landfill site." Whether or not it is—that is yet to be proven—they will get on there and they then have the right to do test holes; they can do just about anything on that property.

I think there is going to be a way for restitution, where the government returns the property to its original state. There are a number of questions that come through on that. What I see as a problem, though, is that there is a sense in which the government is gaining power to go on to people's properties and do surveys and assessments and tests far beyond anything that has ever happened before. Certainly this bill is going to give that power to the government.

I see the Interim Waste Authority now having the power to acquire land outside other areas of jurisdiction within the government and having all the same powers it had before, yet not giving any extra compensation to the people who are involved in the neighbouring areas.

Part I of this bill raises some questions, certainly not as many as the other parts of the bill. As I begin to look at the other parts of the bill, we deal with part II, which concerns waste disposal sites and where we see the Interim Waste Authority. The minister then says, "Three landfill waste disposal sites are required: one in Peel-Durham and then Metropolitan Toronto and York." What she is looking for is something that is going to last for 20 years.

Indeed we all know there has to be a long-term solution to our problems around the whole problem of disposal of waste. The human being seems to be very good at developing it. We are not the conservative society that we dream about, so we have got to come up with practical, real solutions. But the way the minister starts to go about it is that she has developed a policy, and this bill will put into a sacred trust the policies that are developed by the minister in her own wisdom over a period of time. They then become part and parcel of government policy and this bill.

When you start asking, "What are those policies going to be?" they have to do with the minister who says here in section 14, "An environmental assessment...is not required to contain...any description of, or statement of the rationale for...any description or evaluation of any matter relating to"—and here is where it comes to—"an alternative of waste reduction or reuse or recycling if that alternative would involve incineration of waste or the transportation of waste from the primary service area to another area."

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What I am concerned about is that the minister has, without regard to an environmental assessment, without discussion of other jurisdictions that have not accepted incineration—which is a bad word in the minds of many

environmentalists—as an alternative. I have to be careful on this, because I do not think there is anyone who says incineration is perfect. I happen to believe there has to be something right, though, when you see other jurisdictions finding ways in which incineration is at least an option worth looking at. You will see that in Japan, in Sweden, Switzerland, Bermuda. I do not think Detroit is a good example, there are some pretty bad ones out there.

Interjection.

The Acting Speaker (Mr Farnan): Order. The member will address the Chair. I should also add, we will have no interjection from the minister.

Mr Cousens: I did not hear it. When we have this person in the chair, we just have to behave ourselves. I am not going to make any comments about the Speaker because he has ultimate authority and I am not interested in starting a war with the Speaker.

As we look at this issue of incineration, I wish there was some way the ministry—probably just the minister—could at least look at options so that there could be some consideration, rather than just saying within the bill that there will be absolutely no consideration of incineration.

I respect the fact that there are certain members of my own caucus—there has not been a perfect consensus around incineration and I do not want to say whether it should or should not be something we do, but I would like at least to have the option explored that incineration could be considered if it becomes something where there can be a recovery of energy through waste. Is that something that could be looked at?

All I would like to do is have the opportunity of considering, rather than having a decision made by the minister that does not explain her position or where she is coming from. She may well be dealing with incidents that go back many years when, if you had an incinerator and were putting anything in it, then you were going to get something out of the chimney. But if you know it is going into the incinerator and you have scrubbers that control the emissions coming from it and you know what is going in, you can tell what is coming out. It would be cleaner than coal, I am told. In that case, why not look at it?

If you were to look at that, it might be that you could see methane created in a landfill site. I have a paper I want to refer to before I am finished that deals with the issue of methane and the energy that could come from it. Could that methane in some way be harnessed for energy for other purposes?

Interjection.

The Acting Speaker (Mr Farnan): The member for Durham West has interjected. I have counted five interjections since I have been in the chair. Interjections are never appropriate. Sometimes, if they are relevant and witty, they may be accepted. I have to inform the member his interjections are neither relevant nor witty.

Mr Cousens: Thank you very much, Mr Speaker. I just hope I can behave as well as you are expecting him to behave when I am sitting down listening to someone else. I appreciate where you are coming from, Mr Speaker. I will go back to the issue and talk to you on the issue. I was

dealing with this bill and, oh my goodness, I know what is going to happen now. But I would at least like to review some of the concerns I have about incineration.

There are at least three incinerators in Ontario right now which accept solid non-hazardous waste. We have Victoria Hospital in London, we have the solid waste reduction unit in Hamilton—

Mrs Marland: Which has problems.

Mr Cousens: Obviously. There are three facilities recovering energy from waste here in Ontario. Ford in Oakville and General Motors in Oshawa operate their own incineration facilities and do not accept waste from other sources.

What we have to deal with is the technology available to deal with this as an issue. Whether a well-operated, state-of-the-art incineration facility could meet Ontario's air emission standards and regulations is something I would like to see explored, discussed and reviewed by an environmental assessment. That may not be the one that says, "Hey, that's the way to go." I am not what you would call a technical person who is able to develop these issues, but I am at least saying, if other jurisdictions have done it, is it not something that could be done in our area?

I am asking the minister, rather than making a policy decision which is buried right in the bill, whether we can begin to look at some other options that allow recovery, as a possible argument, and whether landfilling and the 3Rs cannot be considered as the only methods for municipal waste disposal.

Are there other technologies we should look at for waste disposal and resource recovery opportunities? Certainly one of those has to do with the way methane can be taken from a waste site and something developed from it.

The minister has gone on record regarding this. It concerns me that the point she has made has not allowed the total subject to be analysed and assessed. If it turns out that she is correct, then the environmental assessment will confirm that. If she is wrong, it opens up another option that might reduce some of the bulk of the waste. It might find energy from waste that could be considered. All I want to do is allow certain things to be decided, rather than the technopeasant approach which just excludes consideration because it is a policy that has been developed.

A friend of mine has just returned from Nuremberg. Greenpeace sponsored and supported a very large energy-from-waste facility in Nuremberg that it has endorsed. If that has happened there, it would be worth while looking at other examples across the world that might allow us to consider this.

Another issue implicit in the minister's plans and where this bill gives the Minister of the Environment tremendous power over waste disposal sites is regarding the transportation of waste from the primary service area to another area.

First of all, this minister has been inconsistent with that position because she has said Kirkland Lake cannot be considered as a willing host, even though it is. She has said Kingston can ship its garbage to Carleton Place, even if it is only for a short time. She has allowed Kingston to ship

its garbage to Carleton Place, yet will not allow the greater Toronto area or Metro Toronto to ship its waste to Kirkland Lake, even though we are talking about a host that has looked at the subject and given consideration to it.

It is going to have a number of impacts on Kirkland Lake. In December 1990, Kirkland Lake agreed to convert a closed mine into a centre for sorting, recycling and dumping Metro garbage with the ability to handle something like 30 million tonnes. The deal was worth approximately \$450 million to Kirkland Lake. It was going to bring millions of dollars to Kirkland Lake and provide jobs in an area that is extremely hard hit by this recession. Yet the Minister of the Environment killed the proposal in April 1991, even though Metro and Kirkland Lake politicians condemned her decision.

Environmentalists applauded the minister's decision not to allow the transportation of garbage to Kirkland Lake, yet the issue has been played out again in the elections that just took place last week. In Kirkland Lake the incumbent mayor, Joe Mavrinac, supports a new proposal to bring Metro garden waste north to Kirkland Lake for composting. A plebiscite question was placed on the municipal ballot in the election last week. It asked whether or not voters favoured an environmental assessment hearing for the plan to import Toronto garbage. The Metro garbage issue did not play as large a role in Metro's elections as it did in Kirkland Lake because the mayor was re-elected to that post, and the voters were overwhelmingly in favour of having an environmental assessment to hear about the benefits or disadvantages of importing Metro garbage.

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What I am really saying is that the mayor hopes the result of that plebiscite will cause the honourable minister responsible for the greater Toronto area and the Minister of the Environment—one and the same person—to rethink her position on the shipping of Metro garbage up north. Why should the ministry force Metro to get rid of its garbage in a highly populated area within Metro and York region and the greater Toronto area, where land prices are among the highest in the country, if in fact we have a willing host, where property values are not the same as they are here, that wants to have it?

Metro Chairman Alan Tonks has stated that the Minister of the Environment's decision will cost Metro Toronto hundreds of millions of dollars. He has said her approach is crisis management as opposed to managing the issue. I challenge the minister to rethink this whole position on the shipping of garbage outside Metropolitan Toronto. Kirkland is a willing host. Many residents support the proposal because they feel it will boost their failing economy through an infusion of capital and jobs.

We come up to the other side of the issue. I, like my former colleague in this caucus, Jim Pollock, was very concerned. He was concerned about Madoc, which was a site that was being considered at some time, an unwilling host. I do not think there—

Mrs Fawcett: It was Marmora.

Mr Cousens: Was it Marmora? Yes, it was Marmora and I thank the member for Northumberland. It was

armora that was being looked at as an unwilling host. Then let it not be there. But if there is a willing host, then say that be something that is at least allowed to circulate through the mind of that minister. Why not at least hold an environmental assessment hearing to see if the proposals are at all feasible? What I am saying is, should not the minister of the Environment and the minister responsible for the greater Toronto area pay attention to what the residents of Kirkland Lake are saying?

As we look at this bill—we are talking about Bill 43—I have great concern that the minister is bringing to policy positions that have not been subjected to a detailed analysis and evaluation. What I would like to see, if possible, is the minister open up those issues so that they can have a full environmental assessment on it.

Then we come to another part of the bill, probably the most dangerous part, that really has offended so many people who are just beginning to understand what is happening. First of all, they have not had much of a chance to respond to it. The minister tabled the bill on October 24, 1991. She tabled it less than a month ago and did it without any fanfare and announcement. It just sort of came in, slipped on the table, and now we are into a position where the minister would like to have this bill passed and in law before we rise for Christmas. I find that extremely fast acting, especially when we start looking at the rights of the municipalities that are going to be impacted by the bill itself.

The bill goes on, and here is what it now begins to do. As we look at part III of the bill, the regional municipalities of Peel and Durham and the municipality of Metropolitan Toronto are required to implement reports made by the minister under section 29 of the Environmental Protection Act. These reports state that the Keele Valley and Britannia Road landfill sites will require one lift each, an increase in the height of the garbage; also, that a transfer station be built at the Brock West landfill site. That is Durham Region's waste, which can then be moved to the Keele Valley site via the Brock West transfer station.

This bill, as we look at the details of it, will remove all legal impediments to the implementation of the reports that are referred to in this bill. I reiterate that. This bill removes all impediments. The funny part of it is that I do not think there is anyone who does not want to see the process streamlined and speeded up.

If there is any way in which we are able to move more quickly in determining where landfill sites are going to be and how we are going to do it, it has to do with the good with that takes place when you are a politician. It has to do with the Premier, who was then Leader of the Opposition, who was within a short distance of the Keele Valley landfill site and said that site would never be expanded without there being a full environmental assessment. No one has disputed that fact. I raised the question to the Premier in the last days of the House before we rose in June: Did he or did he not say in the situation as Leader of the Opposition that he would not expand Keele Valley without a full environmental assessment? He has not disagreed with it and I have enough witnesses to prove that he said it.

When he said that, there was a sense in which the people said: "That's what he's saying before he goes into office. When he gets into office, I'm sure that a man as honest and credible"—anyone who has gone so far as to call the previous Premier of Ontario a liar would never be called a liar himself, so there would not be any sense that the person who was calling the kettle black would do the same thing himself. But the Premier, who was then Leader of the Opposition, made it clear there would be a full environmental assessment for the Keele Valley landfill site before there would be any kind of change to that site. That was implicit as well as what would happen with the Britannia Road site: no expansion without an environmental assessment, absolutely none.

Now, a year and a half later, this same government, led by the Premier, is bringing forward changes in the law that will allow it to expand and change the contours and configurations of those dumps without so much as a full environmental assessment. When we see the draconian measures now in this bill that are going to give the government the right to forget about all previous agreements it has made regarding those sites, they in themselves downgrade the whole importance of previous agreements, previous laws and previous arrangements that have been made in those communities.

It is serious. That is why we had some 250 people out here this morning and that is why I think the government is going to get thousands of letters, not just from one community, not just from south York region, not just from Peel, but from those hundred other communities where landfill sites are just about full. It has to do with a breach of promise.

On the grounds of what this man who is now Premier said, he and his government are retracting that to such a degree that the future rights of those municipalities and the people involved will be removed by this legislation. All legal impediments to the implementation of these reports will be removed through this section of the bill. The designated municipalities are required to carry out the reports even though doing so may require the consent of another municipality or may contravene a municipal bylaw, agreement, statute or regulation. In other words, anything that has been done historically in the past, agreements that have been made, now means nothing. They are thrown out, and that speaks to the larger issue.

There is a solution and it does not have to be in the removal of those rights. We could do it through changes to the Environmental Assessment Act. The government should change the way in which people can protest or disagree with what the government is doing. They should allow it to be streamlined. The member for Nipissing, my leader, brought that up as a major issue in the last election.

What he was calling for was that there be some way in which environmental assessment is allowed to proceed over a shorter period; let there be the full opportunity for anyone who wants to disagree with it to explain that view, have it heard, but not allow it to be protracted over a long period of time, the way it is now through the Ontario Waste Management Corp, an example where the environmental assessment laws in Ontario are wrong.

What we really need to do now is see within this government another approach to it, not a matter of just taking away rights of municipalities, but instead another approach to allow us to—

The Acting Speaker (Mr Farnan): Order. The member will have the opportunity to continue the debate.

1800

REFERRAL OF BILL 126

Hon Mrs Coppen: Earlier today Bill 126 was ordered for third reading. I would ask for the consent of the House to have Bill 126 referred to the committee of the whole House.

The Acting Speaker (Mr Farnan): Is there consent that Bill 126 be sent to the committee of the whole House?

Agreed to.

Bill ordered for committee of the whole House.

The Acting Speaker (Mr Farnan): Pursuant to standing order 33, the question that this House do now adjourn is deemed to have been made.

TEACHERS' SETTLEMENTS

The Acting Speaker (Mr Farnan): The member for York North has given notice of his dissatisfaction with the answer to his question given by the Minister of Education concerning transfer payments and teachers' salaries. The member has up to five minutes to debate the matter, and the minister may reply for up to five minutes.

Mr Beer: The reason I asked to have this slotted for the late show is that when one looks at the statement made by the Treasurer earlier today and then looks at the meeting which the Minister of Education—perhaps I should say the part-time Minister of Education and the Chairman of Management Board of Cabinet—attended yesterday, one recognizes that a tremendous load is about to be shifted once again to school boards.

I think the minister has a responsibility to answer in this House and to the people of the province exactly what is going to happen in terms of transfer payments to school boards and how those boards are going to be able to meet all the pressures they are currently facing.

I would like at the outset to read what the Treasurer said in his statement today. He said: "In addition, we have been speaking to all our major transfer payment partners about the need to implement similar measures in their organizations," meaning wage controls. "We are also asking that consideration be given by all to the seriousness of the fiscal situation and the importance of negotiating lower wage settlements throughout the public sector."

Yesterday the Minister of Education met with representatives from the Ontario Public School Trustees' Association. In that meeting what the public school trustees said to him was that if the provincial government is not going to pay a greater share of education costs—we know that this government, with its last budget, lowered the percentage it is paying; it is now just 40% of total educational costs—then the school boards were saying it should lower its demands on the local taxpayer. But what the minister is suggesting, and it was also reflected in his meeting with

the trustees and in the discussion with the media afterwards, is that the government is looking at providing the school boards, through transfer payments, with 3% or less for next year.

We already know that the demands in terms of salaries that the school boards are facing are running at an average of 6.1%. What the minister has to make very clear is: How is it, with all of the various things he is asking the school boards to do, he can simply say, "By the way, for any of those salary settlements, you simply pick it up through the property tax base"?

If there is a message school trustees have received during the last several months leading up to the elections for the new school boards, it is that the property taxpayer already has had more than enough. People are saying "We're not prepared to accept double-digit rates of increase." I think that message has come through very clearly. If the minister had attended any debates within his community he would have heard that.

Now, as the school boards come, saying, "What are we going to be receiving for next year?" what has been indicated to them is that they are going to have very little money. Unless the government is prepared to lift some of the pressure from them, we are going to see a great number of boards with even more difficult situations where they are going to have to go into a deficit position, which legally they are not allowed to do, and where then the ministry is going to have to find ways of helping them more directly.

The relationship here is simply this: The minister in his comments does not seem to understand the seriousness of the situation. He talks about being concerned. He talks about, "We don't want to be too firm in the directions that we're giving." Again, what the public school trustees said was very clear. Their boards request the minister to be tougher, to really set out some clear public sector wage guidelines, that the minister is going to have to get directly involved, "using all the moral suasion he can" to convince teachers—not just trustees, but to convince the teachers' organizations—"that they must scale down the demand that they are making."

This is a serious matter of public policy, because the provincial government cannot sit back and simply tell school boards, municipalities, other transfer agencies—we have seen it with hospitals—"It's up to you to do this." We're going to look after ourselves by providing a lesser rate of grant."

I say that the government is failing in its obligations to protect the property taxpayer. We need a clear statement from this government as to exactly what it is going to do with school boards and how it is going to ensure that the property taxpayer is not hit again next year with double-digit increases.

Hon Mr Silipo: I want first of all to wish the member for York North—the part-time member for York North, to pick up on comments that he made at the beginning—I wish him well in the leadership race that he is involved in—that being what I think makes him, to some extent, a part-time member here. I know that he believes very clearly the things he has said to us today, although I am, quite frankly,

little bit surprised that the leadership race would bring us to the point of having to stay here past 6 o'clock for me to give an answer that I think I gave this afternoon.

The member complains about the responsibility we have as a government and I have as a minister to deal very directly with the fiscal problems we have and in ensuring that we tell school boards and teacher federations and others the reality we are facing. I thought that is exactly what I said I have been doing and will continue to do. It is incumbent upon this government, and certainly incumbent upon me as Minister of Education in this particular area, to be as clear as I can be with school boards, as the local municipal level partner in the governance of education with us, as to what fiscal realities we are facing. That is exactly what I did in meeting with the representative of the Ontario Public School Boards' Association yesterday. It is what I did this afternoon in meeting with the representative of the Ontario Separate School Trustees' Association. It is what I intend to keep doing in meeting with other representatives of the trustees' organizations and it is certainly what I have been saying to teachers' federations and what I intend to continue saying to teachers' federations.

Within that, the member opposite and people in this House need to understand that we as a government are committed to the collective bargaining process. We are also committed to the local level of governance in education. Those two principles, side by side, indicate very clearly to me, as Minister of Education, as a minister of this government, that we believe therefore very clearly that we have to allow the latitude at the local level for negotiations to continue and for negotiations to be carried out, however, in the kind of fiscal framework we are living in. I think it is therefore my obligation, my duty, my responsibility, which I think I have been carrying out and will continue to carry out in a reasonable fashion, to say to all the parties involved what the kind of fiscal reality is and what they can expect from us a government in this next year and over the next couple of years to come.

I hope that over the next number of days and weeks we can get a little clearer about that. The member opposite would know, as a former minister, the kinds of processes we go through in setting budgets and setting the process of establishing the transfer payment amounts. As a relatively new minister, while I understand that process and the kind of secrecy all of that has to be shrouded in, I am also quite frankly a little bit puzzled as to why all of it has to be shrouded in quite the amount of secrecy it is. I have said clearly to the trustee organizations and to my officials that I also want to look at ways in which, over the next few weeks and months, I can be working much more closely together as a minister with the local people, the people who are responsible for the local governments, the trustees and other people involved in education, to see how we can demystify this whole process.

Within all of that will be very clearly the recognition of our responsibilities as a government towards not only the local level of government and the collective bargaining process but also our understanding of the fiscal problems the school boards face and the pressure it puts on local property taxes.

The member opposite knows my position as a former school trustee on the inequities that exist through the present funding structure. As I have been saying also to people and have been working away at, I am very committed to the kind of restructuring of the financing of education that I think we need to bring about. That is not going to happen in the short term. It is going to take us a little bit of time to do.

Quite frankly, in the short term we do have some major problems to deal with. The only way I think we can deal with them is by being very upfront with people and very direct about the nature of the problems we are facing. That is what I have been trying to do and that is what I will continue to do. I think that approach is bearing some fruit and that is exactly what I intend to continue doing.

The House adjourned at 1812.

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/Adjointe parlementaire de la ministre des Affaires
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parlementaire du ministre de la Consommation et du
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Frankford, Robert (Scarborough East/-Est ND)

igantes, Hon/L'hon Evelyn (Ottawa Centre/-Centre ND) Minister of Housing/Ministre du Logement
randmaître, Bernard C. (Ottawa East/-Est L)
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ampton, Hon/L'hon Howard (Rainy River ND) Attorney General/Procureur général
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ayes, Pat (Essex-Kent ND) parliamentary assistant to Minister of Agriculture and Food (agriculture)/Adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation (agriculture)
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ope, Randy R. (Chatham-Kent ND) parliamentary assistant to Minister of Community and Social Services/Adjoint parlementaire du ministre des Services sociaux et communautaires
uguet, Bob (Sarnia ND) parliamentary assistant to Minister of Energy/Adjoint parlementaire du ministre de l'Énergie
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hnson, Paul R. (Prince Edward-Lennox-South Hastings/Prince-Edward-Lennox-Hastings-Sud ND) parliamentary assistant to Minister of Revenue/Adjoint parlementaire du ministre du Revenu
rdan, W. Leo (Lanark-Renfrew PC)
lopp, Paul (Huron ND) parliamentary assistant to Minister of Agriculture and Food (food)/Adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation (alimentation)
ormos, Peter (Welland-Thorold ND) Chair, standing committee on resources development/Président du Comité permanent du développement des ressources
winter, Monte (Wilson Heights L)
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ughren, Hon/L'hon Floyd (Nickel Belt ND) Deputy Premier, Treasurer of Ontario and Minister of Economics/Vice-premier ministre, Trésorier de l'Ontario et ministre de l'Économie
essard, Wayne (Windsor-Walkerville ND) parliamentary assistant to Minister of Colleges and Universities/Adjoint parlementaire du ministre des Collèges et Universités

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Martin, Tony (Sault Ste Marie/Sault-Sainte-Marie ND) parliamentary assistant to Minister of Education/Adjoint parlementaire de la ministre de l'Éducation
Mathysen, Irene (Middlesex ND) parliamentary assistant to Minister of the Environment, government whip/Adjointe parlementaire de la ministre de l'Environnement, whip du gouvernement
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McGuinty, Dalton J.P. (Ottawa South/-Sud L)
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Miclash, Frank (Kenora L) opposition chief whip/Whip en chef de l'opposition
Mills, Gord (Durham East/-Est ND) parliamentary assistant to Solicitor General/Adjoint parlementaire du Solliciteur général
Morin, Gilles E. (Carleton East/-Est L) Deputy Speaker and Chair of the Committee of the Whole House/Vice-Président et Président du Comité plénier de l'Assemblée législative
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Murdock, Sharon (Sudbury ND) parliamentary assistant to Minister of Labour/Adjointe parlementaire du ministre du Travail
North, Hon/L'hon Peter (Elgin ND) Minister of Tourism and Recreation/Ministre du Tourisme et des Loisirs

O'Connor, Lawrence (Durham-York ND) parliamentary assistant to minister responsible for the greater Toronto area/Adjoint parlementaire de la ministre responsable du Bureau de la région du grand Toronto

Offer, Steven (Mississauga North/-Nord L)

O'Neil, Hugh P. (Quinte L)

O'Neill, Yvonne (Ottawa-Rideau L) opposition deputy whip/ Whip adjointe de l'opposition

Owens, Stephen (Scarborough Centre/-Centre ND) parliamentary assistant to Minister of Financial Institutions, government whip/Adjoint parlementaire du ministre des Institutions financières, whip du gouvernement

Perruzza, Anthony (Downsview ND) parliamentary assistant to Minister for Skills Development/Adjoint parlementaire du ministre de la Formation professionnelle

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Phillips, Gerry (Scarborough-Agincourt L)

Pilkey, Hon/L'hon Allan (Oshawa ND) Solicitor General, Minister of Correctional Services/Solliciteur général, ministre des Services correctionnels

Poirier, Jean (Prescott and Russell/Prescott et Russell L)

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Pouliot, Hon/L'hon Gilles (Lake Nipigon/Lac-Nipigon ND) Minister of Transportation, minister responsible for francophone affairs/Ministre du Transport, ministre délégué aux Affaires francophones

Rae, Hon/L'hon Bob (York South/-Sud ND) Premier, Minister of Intergovernmental Affairs/Premier ministre, ministre des Affaires intergouvernementales

Ramsay, David (Timiskaming L)

Rizzo, Tony (Oakwood IND)

Runciman, Robert W. (Leeds-Grenville PC) Chair, standing committee on government agencies/Président du Comité permanent des organismes gouvernementaux

Ruprecht, Tony (Parkdale L)

Scott, Ian G. (St. George-St. David L)

Silipo, Hon/L'hon Tony (Dovercourt ND) Chairman of the Management Board of Cabinet, Minister of Education/Président du Conseil de gestion du gouvernement, ministre de l'Éducation

Sola, John (Mississauga East/-Est L)

Sorbara, Gregory S. (York Centre/-Centre L)

Sterling, Norman W. (Carleton PC)

Stockwell, Chris (Etobicoke West/-Ouest PC)

Sullivan, Barbara (Halton Centre/-Centre L)

Sutherland, Kimble (Oxford ND) parliamentary assistant to Chairman of the Management Board of Cabinet; Vice-Chair, standing committee on finance and economic affairs/Adjoint parlementaire du président du Conseil de gestion du gouvernement, vice-président du Comité permanent des finances et des affaires économiques

Swarbrick, Anne (Scarborough West/-Ouest ND)

Tilson, David (Dufferin-Peel PC)

Turnbull, David (York Mills PC)

Villeneuve, Noble (S-D-G & East Grenville/S.-D.-G. & Grenville-Est PC) Second Deputy Chair of the Committee of the Whole House/Deuxième vice-président du Comité plénier de l'Assemblée législative

Ward, Brad (Brantford ND) parliamentary assistant to Minister of Industry, Trade and Technology with responsibility for trade and technology/Adjoint parlementaire du ministre de l'Industrie, du Commerce et de la Technologie et délégué au Commerce et à la Technologie

Ward, Margery (Don Mills ND) parliamentary assistant to Minister of Government Services/Adjointe parlementaire du ministre des Services gouvernementaux

Wark-Martyn, Hon/L'hon Shelley (Port Arthur ND) Minister of Revenue/Ministre du Revenu

Warner, Hon/L'hon David (Scarborough-Ellesmere ND) Speaker; Co-Chair, special committee on the parliamentary precinct/Président, coprésident du Comité extraordinaire de l'enceinte parlementaire

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Wessinger, Paul (Simcoe Centre/-Centre ND) parliamentary assistant to Minister of Health/Adjoint parlementaire de la ministre de la Santé

White, Drummond (Durham Centre/-Centre ND) Chair, standing committee on regulations and private bills/Président du Comité permanent des règlements et projets de loi privés

Wildman, Hon/L'hon Bud (Algoma ND) Minister of Natural Resources, minister responsible for native affairs/Ministre des Ressources naturelles, ministre délégué aux Affaires autochtones

Wilson, Hon/L'hon Fred (Frontenac-Addington ND) Minister of Government Services/Ministre des Services gouvernementaux

Wilson, Gary (Kingston and The Islands/Kingston et Les Îles ND) parliamentary assistant to Minister of Culture and Communications/Adjoint parlementaire de la ministre de la Culture et des Communications

Wilson, Jim (Simcoe West/-Ouest PC)

Winninger, David (London South/-Sud ND) parliamentary assistant to Attorney General, parliamentary assistant to minister responsible for native affairs/Adjoint parlementaire du Procureur général, adjoint parlementaire du ministre délégué aux Affaires autochtones

Wiseman, Jim (Durham West/Durham-Ouest ND) parliamentary assistant to Minister of Correctional Services/Adjoint parlementaire du ministre des Services correctionnels

Witmer, Elizabeth (Waterloo North/-Nord PC)

Wood, Len (Cochrane North/-Nord ND) parliamentary assistant to Minister of Natural Resources/Adjoint parlementaire du ministre des Ressources naturelles

Ziemba, Hon/L'hon Elaine (High Park-Swansea ND) Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations/Ministre des Affaires civiques, déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales

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Finance et affaires économiques

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**Legislative Assembly
of Ontario**

First Session, 35th Parliament

**Official Report
of Debates
(Hansard)**

Wednesday 20 November 1991

**Assemblée législative
de l'Ontario**

Première session, 35^e législature

**Journal
des débats
(Hansard)**

Le mercredi 20 novembre 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Numbering of Hansard

Effective with the opening of the Second Session of the 35th Parliament, Hansard issues and pages will once again be numbered on a sessional basis. Hansard numbering therefore will become consistent with Orders and Notices and Votes and Proceedings, and with other parliamentary publications throughout Canada.

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Under the new system, the sequence of numbering started in January 1991 will end with the final House and committee sittings of the present First Session. A new sequence will begin on the opening day of the Second Session, and each succeeding session, which will be issue 1 and begin with page 1. Committee reports likewise will be numbered from the first sitting of each committee in a parliamentary session.

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Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 325-7400.

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Avec le nouveau système, la numérotation commencée en janvier 1991 s'arrêtera à la dernière séance de la Chambre et des comités de l'actuelle première session. Une nouvelle série commencera le jour de l'ouverture de la deuxième session et des sessions suivantes : numéro 1, page 1. Les rapports des comités seront également numérotés à partir de la première séance de chaque comité pour une session parlementaire donnée.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 20 November 1991

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

RETAIL STORE HOURS

Mrs Caplan: I believe my constituents in Oriole must have a say in legislation and what is happening in their community. The previous Liberal government's Sunday shopping legislation allows municipalities to say if they want stores in their communities to open on Sunday.

On November 12, voters in the city of North York and the riding of Oriole responded to the following question on the ballot: "Are you in favour of North York city council requesting that Sunday shopping be permitted in North York?" More than 60% of the voters said yes to Sunday shopping.

The people of North York and the people in my riding of Oriole have complied with today's laws. They have spoken and participated. The municipal option means all municipalities are allowed to decide what is best for them. Under the NDP's proposed legislation, that democratic right would be taken away.

The Association of Municipalities of Ontario and the Ontario Border Communities Mayors' Task Force on Cross-Border and Sunday Shopping have asked this NDP government not to remove the municipal option. They have also said that this proposed legislation's message is misguided.

As the government proceeds with its legislation on Sunday shopping, it must listen to the people of Ontario. I hope it will listen to my constituency, the people of the riding of Oriole, and the people of the city of North York. It must allow the municipal option to remain in order for democracy to prevail.

LABOUR LEGISLATION

Mr Villeneuve: As my party's critic for Agriculture and Food, I find it necessary to express very serious concern about the recent NDP labour relations proposals.

First, there seems to have been no co-operation between the government, food producers and food processors of the province. The paper completely ignores the seasonal characteristics of the food industry and has decided that something called industrial/factory-type operations must be unionized. There is an admission that no one even knows what an industrial/factory-type operation is.

There is real cause for worry when labour, bureaucrats and union officials decide they will sit down and they will decide the definition of a family farm.

Even when we talk about relatively simple industry examples such as fruit and vegetable processing plants, this government fails to recognize that these are not Fords and GMs. These plants receive their raw products during the space of a few short weeks in the summer. If they

cannot process at that time, they will likely be closed for the rest of the year.

If these plants are not open, what will happen to the farmers who have contracted with these plants? Have the Premier's bureaucrats forgotten about them? The government cannot legislate dates for harvesting a crop. If a strike happens to come along, the government cannot pass a new regulation postponing the ripening of a crop. Has anyone considered what will happen to marketing boards if, for example, milk cannot be delivered? These are important issues. Food and cars are not the same at all.

CARL HAMILTON

Mr Fletcher: It is my pleasure to pay tribute today to a political veteran at Guelph city hall. Alderman Carl Hamilton has served his community for 21 years with a level-headed, honest and hardworking approach to municipal politics. On election night last week the voters of Guelph thanked Carl by sending him back to city hall. That comes as no surprise when you look at Carl's list of accomplishments.

Carl has chaired Guelph General Hospital's financial campaign. He has served on the board of Wellington Family and Children's Services and also on the board of Stonehenge Therapeutic Community, a treatment centre for drug addicts. Carl has served on virtually every committee at one time or another during his city hall career. In addition to these civic duties, Carl has found time to practise law in Guelph for the last 24 years with the firm of Moon Heath.

Carl's political career goes back even further. He has the distinction of being the only person to serve as national secretary of the Co-operative Commonwealth Federation and the NDP. Carl was also the national organizer for the CCF from 1955, at the age of 17, to 1957. He first met the Right Honourable Edward Schreyer while doing some work for the New Democrats in Winnipeg. At that time the future Governor General of Canada was about 10 years old.

Carl joins seven newcomers on city council; they are Walter Bilanski, John Carere, Frank Maine, Bill McAdams, Gloria Kovach, Jim Sinclair and Theresa Stafford. I welcome them all.

Part of Carl's campaign message was that his experience would promote co-operation between the new municipal councillors and the old. I know Carl is doing that right now. It is a benefit to have Carl as a colleague.

ABANDONED MINES

Mr Micalash: The previous Minister of Mines, the member for Lake Nipigon, announced a program called the abandoned mine hazards abatement program last May. The program pledged \$10 million over three years to the rehabilitation of approximately 3,000 abandoned mine sites currently in existence throughout Ontario. According to a ministry official, about \$2.5 million of this money is

dedicated towards the actual rehabilitation of old, abandoned mine sites.

It does not take a genius to figure out that \$2.5 million for 3,000 mines works out to about \$833 per mine site. Ministry officials estimate it will cost \$80 million to \$100 million to deal with problems on crown and municipal lands alone. The \$2.5 million becomes even more insignificant when one takes into consideration a recent 40% reduction in the program budget caused by the withdrawal of \$1 million by the present Minister of Mines. This is a prime example of the government's approach towards the concerns of citizens of northern Ontario.

Should I tell my constituents in the Red Lake area and throughout my riding that abandoned mines such as the old Howey Bay mine site, some 20 metres from a school playground, as well as many others are problems that the government has now left for them to deal with? Was the whole program just a sham? How do the people of Red Lake get what the previous minister announced, the safe closure of existing abandoned mine sites? Can we get a commitment from the Minister of Mines that adequate financial resources will be allocated to deal with this very pressing problem?

1340

DRINKING AND DRIVING

Mr Harnick: Yesterday marked the beginning of the third annual province-wide red ribbon program, entitled Tie One on for Safety, designed to reduce impaired driving. This year, People to Reduce Impaired Driving Everywhere and Mothers Against Drunk Driving will distribute over one million red ribbons to motorists across Ontario. The red ribbon is a symbol of support for safe, sober driving.

This program, in concert with other initiatives such as the Lifesaver Agreement between teenagers and their parents, is an effort to increase awareness of the fact that driving while impaired is socially unacceptable. Drunk driving kills. I have personally dealt with individuals who have suffered the life-shattering devastation that results from drunk driving accidents. I applaud the work of organizations such as PRIDE and MADD in their lifesaving public awareness programs.

Red ribbons will be distributed with the help of the Ontario Students Against Impaired Driving, Shoppers Drug Mart, the Allstate Helping Hands Committee, the Ontario Community Council on Impaired Driving, the OPP, the Bank of Montreal, local police forces and many more private organizations and volunteers.

This year, Willowdale native and Indy car driver Scott Goodyear will be the guest of honour at SkyDome for a reception designed to educate the public on the reasons why you should not drink and drive.

As the representative for Willowdale I would like to take this opportunity to wish the people of my riding and the people of Ontario safe and sober driving in the holiday season.

FREELTON LIONS VILLA

Mr Abel: It is with great pleasure that I inform the House of the near completion of the Freelton Lions Villa, a 29-unit, geared-to-income home for seniors. The units are self-contained and totally wheelchair-accessible. The project, spearheaded by Jerry Maloney and the Freelton Lions Club, received good community participation from the 500 citizens and various local groups in the area.

The Freelton Lions Villa was made possible by various fund-raising drives, donations and a \$2.5 million grant from the Ontario Ministry of Housing. The community-driven project will be completed some time this January and is already 50% to 60% rented.

In this hustle and bustle, fast-paced world we live in seniors always seem to have time: time to tell of the many changes that have taken place over the years; time to share with us the experiences of their long and full lives. Stories of their accomplishments and woes tell us of the great contributions they have made to society. With the effort and hard work displayed by the citizens of Freelton, the seniors in the area will be able to retire in comfort and dignity.

I ask the members of the assembly to join with me in congratulating the citizens of Freelton and its local Lions club, not only for their dedication and efforts but for the fine example they set in providing affordable housing for our seniors.

ONTARIO ECONOMY

Mr Phillips: It was a year ago today that we heard the speech from the throne. The people of Ontario put their faith and their future in the hands of the NDP. The NDP members were fresh from their election victory. They said they had a clear vision for Ontario and they headed us down that road.

It is now obvious that the people of Ontario have been let down terribly. The government jumped behind the steering wheel and drove off in a new direction. It is clear the government had no idea where it was heading and now finds itself hopelessly lost in a fog of confusion.

To make matters even worse, the province's economic engine, which supports our quality of life, is sputtering very badly. Yesterday's budget announcement was the latest example. The Treasurer has chosen to delay the tough decisions that are required now and in so doing has pushed these problems into next year. We see an additional \$1.5 billion to \$2.5 billion in cuts required in next year's fiscal plan. We all know the Treasurer now has to go, hat in hand, to the very federal government he has been blaming to help him out of this fiscal mess.

We all know that the key to solving our fiscal woes is truly to get the economy rolling. However, the economic renewal plans they have announced—conveniently on the eve of the Ontario Federation of Labour convention—are actually fostering bitter divisiveness rather than getting the economy rolling.

The people of the province are rapidly losing confidence in this government. The result is that we are going to see more pain and suffering for the people of Ontario rather than true solutions.

DEATH OF FORMER MEMBER
FOR WELLINGTON-DUFFERIN

Mr Arnott: I rise today to honour the memory of a former member of this Legislature who passed away on Sunday, November 17. John Root served as a member of the Ontario Legislature for over 20 years, representing the riding of Wellington-Dufferin.

First elected to the Ontario Legislature in 1951, John Root was a cabinet minister under Premier Leslie Frost. He also served as chairman of the Ontario Water Resources Commission, which was the precursor of our present Ministry of the Environment. In 1977 he was honoured by Premier William Davis for 15 years of service to the Commission.

Born on October 17, 1908, in the township of Erin in Wellington county, John Root grew up on the family farm and exemplified all his life those fine characteristics of a true son of rural Ontario, dedicated to the interests of the community and love of the land.

On a personal note, I would like to mention that immediately after my own election on September 6, 1990, John Root was the very first person to telephone me to offer his congratulations, and I was absolutely delighted. He was a good friend of my grandfather's, and I am very well acquainted with his son, George.

It is my firm belief that the good work done by John Root, and more recently by his successor, Jack Johnson, laid the foundation of our party's great strength in Wellington and certainly helped to pave the way for our electoral success last year.

I will remember John Root fondly and I know the members of the House will want to join me in extending sympathy to his wife, Lillie, to his children, Bennett, Evelyn, George, Robert and Clayton and his entire family on the loss of a husband, father and friend.

COMMUNITY SERVICES

Mr Farnan: The Community Opportunities Development Association in Cambridge has made a significant impact in fighting the recession in our community. Originally founded in 1984 by the labour council, they are now an independent community-based charity serving more than 5,000 economically disadvantaged individuals and families yearly.

Through the Ministry of Labour, businesses and unions, CODA has helped more than 800 people affected by plant closures in Cambridge this year. In addition, through the Ministry of Community and Social Services, they have developed an innovative and effective approach in helping more than 120 social assistance recipients start small businesses. CODA also offers transportation, housing and children's programs to families in need.

CODA's reputation in the Cambridge community is based on delivering cost-effective, quality services by competent and dedicated professionals.

I applaud the foresight that results in developing and funding organizations such as CODA. I ask that our government not lose sight of the effectiveness of such programs during these times of fiscal restraint. We must remember that community-based agencies such as CODA

are a vital component in moving the people of Ontario towards a strong economic recovery.

DEATH OF FORMER MEMBER
FOR WELLINGTON-DUFFERIN

The Speaker: To the member for Wellington, the kind remarks which you made will be sent along to Mr Root's family along with the expressed sympathies of all the members of the assembly.

GOVERNMENT SPENDING

The Speaker: Yesterday honourable members will remember that I ruled on a point of order that had been raised during question period by the honourable member for Carleton regarding the right of a minister to reply to a question that had not been asked. Following question period, the honourable House leader of the third party, the member for Parry Sound, asked me if I could look into this and report back to the House. At that time the honourable member for Renfrew North also contributed to the point and I did undertake to look at Hansard and I am now ready to report back.

Very briefly, I agree with the member for Renfrew North and I stand by my ruling of yesterday. Even though there might not have been an interrogatory part to the statement made by the leader of the third party yesterday, he had been recognized to ask a question and he had used up the time to make substantial remarks, and therefore it was perfectly in order for the honourable Treasurer to reply.

1350

STATEMENTS BY THE MINISTRY

SUPERVISED ACCESS

Hon Mr Hampton: This afternoon the minister responsible for women's issues and I are very pleased to announce a two-year supervised access pilot project. On the advice of a community-based board, the Ministry of the Attorney General will provide funding to community groups to establish 10 supervised access centres in various parts of the province.

The community groups will be invited to apply for funding of up to \$100,000 per year to develop supervised access services which will meet the specific needs of their particular communities. These pilot projects will provide an opportunity to evaluate different methods of delivering supervised access services and the need for these services across Ontario.

Supervised access centres provide us with an imaginative means to evaluate community-based initiatives that will use non-adversarial approaches to facilitate access for non-custodial parents. Our intention is to recognize the financially and emotionally vulnerable position of women and children during access disputes. We believe that in some form supervised access centres will provide necessary protection while at the same time facilitating positive child-parent relationships.

I know that there are concerns in the community about access issues and that there is some controversy about the best way to deal with these issues. This project will address

some of these concerns. The services which will be provided will assist separated families in carrying out access arrangements which have been ordered by the court or agreed to by the parties. Examples include situations where there are concerns about the safety and wellbeing of the child or where visits pose potential safety risks to the mother.

Supervised access visits may be appropriate in a number of situations: for example, situations involving a parent's alcoholism, drug abuse, physical abuse or emotional difficulties; situations where there are concerns about parenting skills; situations where a parent has been absent from a child's life for a long period of time, and situations involving a threat of possible abduction of the child.

In other situations, the parents may not require supervision of their visits, but the level of conflict and animosity between them may make exchanges of the child difficult for all the parties involved. In these situations, the parties may only need a neutral, secure site for the exchange of the child where the child can be dropped off and picked up without the need for parental contact.

Supervised access centres will offer separated families a safe, neutral and child-focused setting in which visits or exchanges of the child can take place. In most situations, parents will be using these services. However, where other family members, such as grandparents, are entitled to child access, they may also benefit from supervised access services.

We will be establishing a Supervised Access Funding Advisory Committee, made up of members from communities around the province, to consider requests for funding from community groups. I look forward to hearing from community groups across Ontario and to funding projects which will provide these important and valuable services to the people of Ontario.

RESPONSES

SUPERVISED ACCESS VISITES SURVEILLÉES

Mr Sorbara: I am pleased to respond to the statement delivered by the Attorney General today and that he is finally getting on with some response, meagre as it is, to the very large question of access that parents who are separated from their spouses have a right to and desperately want to have with their children.

I note that in the statement the Attorney General is calling for 10 pilot projects to be identified through applications from community groups, and I suppose that is an acceptable way to go.

Je veux dire que nous sommes très contents que le Procureur général ait enfin fait quelque chose qui répond à la grande question de l'accès aux enfants des parents de la province qui se séparent après une période de mariage.

I want to tell the Attorney General that although he takes some pride in this announcement, as I guess he should, the fact that he is now, after almost a year and a half in government, announcing a pilot project completely ignores the fact that the previous Liberal government had

undertaken a very substantial pilot project in supervised access in the community of Waterloo. It was very successful. The evaluation was done. There was a report coming out of that, a proposal which recommended a permanent extension of supervised access and it is shocking indeed that the Attorney General now, after a year and some months, is calling for yet another series of pilot projects.

The project that was undertaken in Waterloo, as I said to him, had been a success. All parties in the Legislature and anyone involved in the question of access in communities realized that we needed a publicly funded program of access. For the Attorney General now to call for a pilot project simply indicates one thing and one thing only to me, and that is that the Treasurer has said to him that there will not be ongoing funding for these pilot projects and that at most he can have \$1 million to respond to the political pressure to get on with it in this year.

It is evident that the Attorney General somehow simply cannot get on with his agenda. When he took office last October 1, or shortly thereafter, he announced that the government would not proceed to proclaim Bill 124, which provided a legal basis upon which parents who were being denied access could have resort to the court. I understand why he did that. He was under a great deal of political pressure from a number of groups to do that. But at the same time, he undertook, I think in this House as well as outside this House, to respond with some other measure to parents, who look to us in these terribly difficult questions of access. He undertook to revisit the issue and come up with a piece of legislation which was better than the Liberal legislation. He undertook to get on with the question of supervised access. Now, a year later, we see the Attorney General can do little more than call for pilot projects.

The Attorney General has let the criminal court system fall into disrepair. He promised that he would end court backlogs in nine months—and he made that promise a year ago—and the courts are more backlogged than ever. The legal aid system in this province is in crisis. Funds have been cut back, tariffs have not been revised, and the Attorney General has nothing to say in response. His program of family support, which he said must urgently proceed while the bill was in committee, has now been postponed for yet another six months. The program has been cut by some \$850,000, and the Attorney General has nothing to say in response.

The fact that he comes here today with a \$1-million pilot project in supervised access will not be sufficient answer, I tell the Attorney General, for all those areas that are under his responsibility that should have been attended to, that urgently need attention and that he is not attending to in any way whatsoever.

1400

Mr Harnick: I welcome this announcement, because safe, secure access is a benefit to all parties in these stressful situations. However, when you read this statement, it is as though this government is inventing the concept of custody and supervised access and it is as though these things have never existed before. The fact is that they are plodding along, feeling their way in areas that cry out for

decisive action, and a pilot project with a limited term of two years is not decisive action.

Everything this government does is done on a hit-or-miss basis. The support and custody orders enforcement bill, which we had before the standing committee on administration of justice for months, is still not up and running. In fact, before it even starts to run, \$850,000 is being deducted from its budget. It is doomed to failure before it starts. I am prepared to bet that the program being announced today will not be up and running six months from now. It will be exactly like everything else the Attorney General does.

The court backlog is still there. One of the Attorney General's appointments to the provincial court bench has described the court system as a sausage factory. The Chief Justice of this province has said the justice system is a failure. On the track record of this government, I will bet members that this announcement will not come to fruition. Six months from now they will still be talking about it. They will still be looking for the money or will be cutting the funding by that time, at the rate the Treasurer is running the economy.

We take a look at SCOE, the court system and other areas that have been a failure. The small claims courts? Absolutely no action at all. Masters of the Ontario Court of Justice? Absolutely no action at all. Justices of the peace? Last week we saw 1,700 cases dismissed from provincial offences courts because the Attorney General cannot institute decisive action.

This announcement, I have no doubt, will be a failure because it will never be implemented; and if it is implemented, the scale at which it is implemented will doom it to failure before it even starts.

Mrs Cunningham: The announcement by the Attorney General today gives me this opportunity to give him advice. He is not unused to receiving it from me over a long period of time and he receives it, I think, with gracious good humour.

This is something we have certainly had a lot of experience with in the city of London, with the supervised access program at Merrymount Children's Centre. We have learned a lot over the years as to how to make that program work. At least in that community there are many families that have been well served. I stated to the minister during the hearings on Bill 17 that if in fact these kinds of programs had been a reality in Ontario, perhaps we would not have needed Bill 17 in the form it was presented in. Of course I am hoping, although I share the concerns of my colleague the member for Willowdale, that these centres will be a success.

The Attorney General knows I cannot stand the words "pilot projects." I wish somebody would stand up, having done his homework—I know he has done his homework, but I do not know why he calls them pilot projects—and say, "These will be ongoing programs, subject to review, subject to success, and if you don't run a program that meets the needs of the community, you won't get the money next time."

The Attorney General might just remember me when he uses the words "pilot projects." I just cannot stand it. I

say it also in Education and in Health, because pilots have not been successful, and when I was an elected official, the bureaucrats used to make all the good stuff disappear.

I will say right now, in 28 seconds, that next time the Attorney General should put his emphasis on SCOE. Everybody in this House—he should look at all the members nodding—agrees that the long waiting lists are just not fair. We need resources that work in our SCOE offices. The minister should do a review and come up with a quick response to support the quality of family life. That is what this is supposed to be all about.

ORAL QUESTIONS

TAX REVENUES

Mrs McLeod: I have a question for the Treasurer. Yesterday he told this House he was serving up some tough fiscal medicine to deal with the government's mismanaged finances, but to this point the Treasurer has been all talk and no real action.

The Treasurer is now going cap in hand to ask Ottawa for more than \$1.4 billion in extra federal transfer money. The federal government the Treasurer is approaching is the same federal government that has already severely limited its transfer payments to the province. It is the same federal government that is staring at its own \$30.5-billion deficit.

Does the Treasurer really believe this Oliver Twist act, going to the federal Tories to ask for more gruel, is going to save his government's finances? What in the world makes the Treasurer think the federal government will come to the rescue?

Hon Mr Laughren: May I first of all congratulate the member for Fort William on her entry into the leadership race. As a fellow northerner, I wish her all the best and quite frankly I hope she wins.

Mr Harnick: It's called a mortal wounding.

Hon Mr Laughren: When other candidates ask me a question, I will say the same thing to them.

On a serious note, I wish to disabuse the member and others who seem to think that because there is a formula in place that says we are entitled to that money back, that is going cap in hand to Ottawa. Nothing could be further from the truth. That money is owed to us. Those are offsets that are put in place precisely to look after this kind of problem. It is not a question of whether Ottawa will give us that money back if we are nice. The fact is that they owe us that money in the form of offsets.

Mrs McLeod: All any of us on this side of the House are asking for from the government is some responsible and realistic financial planning. I wonder when the Treasurer is going to realize his government is not just a victim of a recession. They are part of the problem and they are going to have to be part of the solution.

In order to stay within his deficit target of \$9.7 billion this year, the Treasurer is putting off up to \$800 million of spending until next year. He admits this government's personal income tax revenues will be \$2 billion less next year than he had originally predicted. According to my math, that will make next year's deficit approximately \$11.7 billion. If

the balance of his revenue projections are on target at this point, that is really just wishful thinking.

The Treasurer says he will need to make tough decisions next year just in order to keep his four-year fiasco on track. Some analysts say he has already built foolishness into a four-year plan. Where does he expect to find the extra \$2.8 billion in government spending cuts just to keep within next year's budget?

Hon Mr Laughren: I take back those nice things I said in my opening.

Let me make clear exactly what has been put off until next year, because there seems to be a misunderstanding about what savings are in effect this year that will cause us problems next year in the form of extra expenditures. There are some.

First, from the statement made on October 2, the moneys from the wage protection fund that will not be paid this year will be paid next year. That is about \$85 million.

Second, the \$50 million in pay equity that will flow once amendments to the Pay Equity Act for proportional value, as I recall it, are through will be paid.

There is no question that those numbers do put the problem off, if we can put it that way, to next year, not in order to allow us to meet our deficit number but because that simply could not be done anyway, the way the legislative process moves through here.

As far as the capital expenditures go, those capital expenditures, while they may be delayed or put off until next year, will have to be accommodated within the existing capital budget for next year. It is not adding to the problem for next year. I think we should be clear about that. We are not simply putting off all our problems till next year. That is not the case.

1410

Mrs McLeod: That seems to result in some confusing understanding of next year's budget. Either they are permanent cuts that this Treasurer has announced or they are deferrals to next year and he is telling those people who expected those moneys that they are not going to be in next year's budget or he is going to make significant other cuts, which is all we are asking him to tell us about today. Where are the cuts going to be?

When the Treasurer first presented his budget last spring, he said he wanted to fight the recession, not the deficit. Since then, Ontario's unemployment has hit 9.6% and more than one million people in Ontario are on social assistance. The government has clearly lost its fight against the recession. Now we switch tack. The Treasurer says he needs to keep the government's deficit within the four-year budget plan. He has twice had to bring in spending restrictions to deal with the poor financial forecast. He has lost the war against the recession, he has lost the war against the deficit. Can the Treasurer tell us what battle he is fighting now or whether he has simply thrown in the towel and is counting on Ottawa to save his sinking financial ship?

Hon Mr Laughren: Let us try to put this in some kind of perspective. When we brought down the budget in April 1991, we forecast some numbers for this year and

for the next three years. At this point in time, we are fighting very hard to make sure we stay within those forecasted numbers that were in the budget in 1991. How can the opposition members stand in their places and say our fiscal plan is in disarray when we are taking every action that is required to stay within those forecasted numbers? They make no sense whatsoever.

LONG-TERM CARE

Mrs McLeod: Since it seems to be virtually impossible to get any kind of specific answer from the Treasurer, I would like to direct a more specific question about the government's priorities for spending to one of the other ministers of the government. I would like to direct a question to a minister who is prepared to be responsible for long-term care. In the absence of the Minister of Health, I will direct the question to the Minister of Community and Social Services.

Today on the Legislature steps we have seen an example of what government indecision means to the people of Ontario. Today friends and families of nursing home residents were here to tell the government in the only way they knew how that they are in a crisis, that the government's financial solution is a Band-Aid at best and that the care in their facilities is in jeopardy. How does the government justify the delay in implementing its long-term care reforms? What is this government saying to the people on the Legislature steps and thousands across the province who want to be assured that their loved ones in nursing homes are receiving the level of care they need?

Hon Mrs Boyd: I say exactly what I said in the House when the consultation paper was delivered: We are responding to the requests that were made to us by the reference group that was set up, which met in September. The group clearly said that because of the changes we wanted to make in the plan the previous government had put forward, primarily in the areas of co-payment but also in the area of how quickly and to what extent the change would occur, they wanted further consultation on that and they wanted us to undertake that consultation in the way we have.

Mrs McLeod: The reality is that the government's proposals for long-term care reform are essentially identical to the proposals of the Liberal government. The only thing that has changed is that there has been more than a full year's delay in implementing those proposals.

It is also a reality that the Liberal government committed \$345 million to implement levels-of-care funding as of January 1, 1992. This money or any money to implement long-term care reforms seems to have simply disappeared from any of the Treasurer's budget plans. I would ask the minister whether she does not feel that it makes sense to invest in other alternatives to relieve the pressure on hospitals which are using expensive acute care beds to provide for chronic care and whether long-term care is not a social and economic priority for her government.

Hon Mrs Boyd: As we said in the announcement, \$647 million has been allocated to this and much of that is new money. We changed the date in terms of the levels of care to January 1993, that is quite correct, because v

were uncomfortable and distressed about the way in which the plan was formulated. We believe very strongly that we have not taken account of our multicultural communities. We have not taken account of the needs of the aboriginal people of this province in the previous plan. They have been very clear that they want to see a provision for them to participate in this, given their different formulations of family.

I just remind the member there are five major areas of difference in the consultation we are undertaking and the plans we are putting forward. Those are serious areas of difference and we believe the people of Ontario should have the opportunity to comment on them.

Mrs McLeod: The bottom-line reality is that this government is simply delaying implementing any long-term care reforms because it has not yet carried out any real planning for cost-effective delivery of services that people need.

There is a crisis. The crisis is not 20 years removed; the crisis is here, the crisis is now. The crisis is with hospitals that are running deficits and being forced to close beds, the crisis is with nursing homes that are not adequately funded to serve the seniors they care for and the crisis is with this government as it contemplates cutting programs like home care and ending the universality of our health care system.

I suggest to the minister this is not something the government can simply pass on to the federal government; it is something the government can act on. I ask if she would commit to returning to the commitments made by the Liberal government. Will this government implement levels-of-care funding in January 1992?

Hon Mrs Boyd: The member is simply imputing things to the government that are not clear at all from the document. In fact, quite the opposite is clear; we are not in any way cutting home care. In fact, the funding to home care has expanded under this government. We are switching money from the acute care beds in hospitals to this project, and the Minister of Health has been very clear about that. We see the delivery of health care in a different way.

As for universality, there is absolutely no suggestion in our plan that we are destroying universality, although the co-payment in the previous government's plan indeed endangered that.

GOVERNMENT SPENDING

Mr Harris: I have a question for the Treasurer. Yesterday I asked him for specifics on his announcement regarding \$200 million worth of cuts in capital spending. He did not have an answer. He did not know exactly which projects were going to be cut or which ones were going to be deferred. Yesterday as well, he announced that \$70 million worth of assets are to be sold, but other than giving an indication that it would be surplus property that is sold, he did not know which property was going to be sold.

I presume the Treasurer has now met with his colleagues and discussed his flash announcement from yesterday. Could the Treasurer now tell us what projects will be cut or deferred and from which ministries, and could he

tell us what government property is going to be fire sold in the middle of the recession?

Hon Mr Laughren: I think I heard a question in the member's statement. I want to tell the leader of the third party that when we were looking at ways in which we could compensate for the income tax shortfall, I and my colleagues on treasury board said to our officials that, first, we were determined to find the \$200 million in capital savings this year and, second, that we would find \$70 million in the sale of assets such as surplus land and/or some money that is in the coffers of some of our crown corporations, and I used as the example the Ontario Energy Corp, where we get dividends from Suncor.

At this point, that is exactly what we are doing. We are determining exactly which projects will be on the list not to proceed with now in order to effect the \$200 million in saving in capital.

Mr Harris: Basically what the Treasurer is saying is, he does not know, but he has asked his colleagues for \$200 million. This government came into power as the great party of consultation, saying it was going to share information. Why will he not share with the Legislature the list of potential projects that are available to cut \$200 million from? Why will he not share that with the public, with our partners the municipalities, hospitals and school boards and with the Legislature? Why will he not share the list of the assets from which he wants to find his \$70 million?

He should truly consult with the people and share with us the information he has so that we can all participate and assist him in setting priorities as to the appropriate things that should be cut or deferred or sold, if any.

1420

Hon Mr Laughren: It is precisely because this government believes in consultation that we are not going through the exercise that other governments have gone through whenever they find themselves with a fiscal problem. Rather than simply saying we are cutting so much out of all programs without consulting with anybody, we—

Mr Harnick: That is what you just did.

Hon Mr Laughren: No, that is not true. If the member would just listen—

Mr Harnick: It is true. Give us the particulars.

The Speaker: Order.

Hon Mr Laughren: Mr Speaker, I will wait for the supplementary.

Mr Harris: I did not expect much of an answer, Mr Speaker, so I do not mind his not giving an answer. The Treasurer has not selected what he thinks is appropriate, nor was he prepared to share the list with the Legislature last weekend, yesterday or today, so there is no consultation with anybody other than his own party.

The Treasurer spent a slash-and-burn weekend. Yesterday he would not acknowledge in the House he was cutting jobs; I understand outside the House he admitted jobs would be cut. He still will not tell us how many; however, he did admit that. But basically, I say to the Treasurer, this has all come about because he has lost control. He has no

more idea today than he did last week about how he is going to control the deficit, either this year or next.

I want to talk about next year. Somebody has to pay ultimately. With all the deferrals he has made to next year, with all the existing commitments of program announcements, funding, salary settlements that have already been made, and if the economy is still as flat next year as it is this year—gosh, one hopes that is not the case—can the Treasurer tell me how he plans to account in his next budget for the \$5-billion to \$6-billion to \$7-billion shortfall? Will there be \$5 billion, \$6 billion or \$7 billion in new taxes next year, or is he going to run the deficit to \$15 billion, \$16 billion or \$17 billion?

Hon Mr Laughren: The leader of the third party rises in his place day after day with this big black cloud over his head. He and the third party are such nabobs of negativism that it is really hard to understand sometimes why—

Interjections.

Hon Mr Laughren: I was trying to answer this in my previous answer and I got drowned out by the heckling, so I will try again. I want to assure the leader of the third party that what we are doing this year is taking actions that do not fundamentally affect program delivery of essential services in this province. I think all members would agree with that, that we have not cut into the essential services in education, health care and social services. What we are doing is going through a process on the treasury board and examining all the major allocations of government to see where there can be reallocation and, quite frankly, where there can be reductions in programs for next year, because the leader of the third party is quite correct; there is a major problem for next year on expenditures and revenues and we are determined to manage that. I hope he will give us some credit that this year, despite revenue problems, despite expenditure problems, we are staying within our targets that we laid down in the budget, and that is what we intend to do.

Mr Harris: The Treasurer's colleagues laughed at me when I said \$5 billion, \$6 billion or \$7 billion. I am sure they will laugh at him when he tells them that is the problem in cabinet and at caucus next week. He has not cut a cent this year; he has deferred some stuff till next year, so he does have that problem and he is making it worse by deferring it.

My second question is also of the Treasurer. I think most objective observers, of which I acknowledge I am not one—I am biased—will say that yesterday he paid lipservice to controlling government spending, but he did nothing, for example, to put an end to government waste. I have a copy of the report on the audited deputy ministers' expenditures. Let me read a couple of examples from that.

1. Some 27 management staff from the ministry had a one-day meeting in a hotel in downtown Toronto. It cost \$1,700; food and beverages, \$1,000. In addition, \$300 was paid for room rental and \$360 to rent audiovisual equipment. I guess the government does not have a projector in all our free rooms.

2. Some 15 staff from the ministry had lunch at a downtown Toronto restaurant that cost \$950 for meals and beverages—\$63 a person.

3. Another 11 staff from the ministry had an executive committee business luncheon in a hotel that cost \$650—\$59 a person. I guess we do not have a single room available to accommodate 11 staff.

My question is really quite simple: If the Treasurer is so serious about controlling government spending, why did he not do anything yesterday about this type of extravagance that I have brought up time and again in this Legislature?

Hon Mr Laughren: We did indeed do something about this very problem yesterday in the Legislature when we announced further savings in the operating expenses of every ministry. While I read the comments by the auditor as well—we do have to be careful about those kinds of expenditures—it takes time to get out of the system deeply entrenched modes of behaviour that were encouraged and abetted by former governments for so many years.

Mr Harris: I appreciate very much what the Treasurer is saying. I agree there were some traditions built up over the last five or six years in this province that are despicable, wasting money, and anything I can do to help him get back to a commonsense expenditure of taxpayers' money, I am glad to do.

The report I referred to goes on to say that significant savings would be realized if meetings were simply held in the hundreds of boardrooms in government-owned facilities. For example, they say instead of \$63 to dine at a downtown hotel, staff could have a nicely catered lunch for \$14. I suggest to the Treasurer that if they bring their own lunch, as most employees have to do, or pay for their own, they could have these meetings for free. Why will the Treasurer not immediately place a ban on all meetings that are now being held in hotels when government-owned facilities are available?

Hon Mr Laughren: I think the Chair of Management Board has sent out directives already, and I believe possibly even the Premier has sent out directives as well, dealing with that very problem. I believe we must be very careful to weed out any excesses involving those kinds of meetings, so I am not really disagreeing with the leader of the third party. I think savings need to be effected in those areas, so I am not disagreeing with the leader.

Mr Harris: The meeting where he decided to do that was probably held at the Park Plaza, but anyway, if he says he is going to do it, we will see.

In the 48 hours since I raised an issue of government waste in the Ministry of Transportation, another civil servant has brought yet another example of wasteful spending to my attention. Not only did the 9,000 Ministry of Transportation employees and the staff receive that beautiful key chain tape measure, but they were also given nice little buttons stating: "I Was There." Here is a nice, fancy pin that all 9,000 have been given. These are to celebrate the 75th anniversary of the ministry.

I would like to ask the Treasurer whether he has the answer today to the question I raised two days ago about

the cost of these shanghaied tapes that were given to 9,000 employees and whether he could immediately investigate the cost of a 75th anniversary celebration, including these buttons and pins and whistles, the cost of that program, and tell us why any of our tax dollars are being spent to celebrate a 75th anniversary of a ministry of this government.

Hon Mr Laughren: To answer the first part of the member's question first, I do not have an answer on the cost of the shanghaied tapes, as he refers to them. I will check into the whole question of the 75th anniversary of a particular ministry.

I remind the leader of the third party that at least we have come some way from the days when the Tories were in power and every lunch was at La Scala. At least we are not doing that any more.

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TAX INCREASES

Mrs McLeod: Just moments ago, when I asked the Treasurer about his proposals to manage his deficit for next year, he avoided answering any questions about specific expenditure cuts and certainly made no reference to taxation increases.

I have a copy of the Toronto Star which has just come out in which the Treasurer apparently has been indicating to people outside this House that taxes are essentially inevitable. I quote from the Toronto Star. The Treasurer is said to have said, "It would be very difficult to put together a package for next year that kept the deficit within our targeted figures without having a combination of expenditure reductions and some tax increases."

May I ask the Treasurer if that accurately reflects the statements he is making to the media and what he expects to see in his budget next year?

Hon Mr Laughren: I want to assure the member opposite she does not need to get information from me through the tabloids. She can ask me directly in this House and I will respond to her directly.

What I did say outside the House yesterday, and I would say it in here and I will repeat it again, is that as we prepare the budget for next year, given the very tight fiscal situation, I cannot imagine bringing down a budget that did not have a combination of expenditure reductions and some tax increases. I hastened to add when I talked to reporters that absolutely no decision whatsoever had been made on any tax increases for next year. We have not even started that process yet.

Mrs McLeod: The Treasurer and other members of this government are well aware of the frustration on this side of the House with our inability to get information in this Legislature. We are constantly having to look to the media and to statements made in other parts of the province to get the information we need to hold this government accountable in the interests of the people of this province. It is not surprising that we would have to go to the media to get the answer to the question I asked moments ago.

I asked the Treasurer how he planned to manage the deficit in next year's budget. He did not mention even the

possibility of tax increases in his answers to those questions. He does not seem to be indicating now that there is any question about whether there will be taxes. He says taxes are inevitable. We are asking this minister to give us some idea whether that is factual and what kinds of tax increases this government is going to be looking at.

Hon Mr Laughren: That is bordering on the nonsensical. I said outside the Legislature, and I said it in here, that next year as we make preparations for the budget I cannot imagine not having some kind of adjustments in taxes upwards. But I said as clearly as I could that absolutely no discussions have been held, no decisions have been made on potential tax increases for next year; none at all. I do not know how specific I can be to the member. She stands in her place and says she is not getting information from us. I am giving her as direct an answer as it is possible to give.

NORTHERN TRANSPORTATION

Mr Harris: I also have a question for the Treasurer. He keeps giving this good show about trying to control pointless government spending, but his record is telling a very different story.

I want to draw his attention to his government's decision to start norOntair Dash-8 government-owned air service between Thunder Bay and Kenora. Right now there are five flights a day between Thunder Bay and Kenora, three of them provided by Bearskin Air, a private sector airline, and two by norOntair in a smaller aircraft. The average flight is half full. In total they carry about 35 people a day.

When the government airline, norOntair, has a mandate to provide service where the private sector cannot, can the Treasurer explain to me why he now feels it is necessary to bring on two Dash-8 aircraft accommodating 70 passengers a day when less than half that number are flying on half-full aircraft, effectively throwing Bearskin Air out of business? Can he explain to me why that is a government priority?

Hon Mr Laughren: It is with a great sense of confidence that I refer the question to the Minister of Northern Development.

Hon Miss Martel: I am pleased to respond to the question by the leader of the third party. Let me tell him he should check the entire route and he will find that not only are we moving the Dash-8s through Kenora, as requested by that community in many letters and a very intense lobby to me for increased and better service, but we are moving those two Dash-8s through a number of other communities where he may also have noticed a need to increase the capacity. We will be flying those planes not only through Kenora, but right on to North Bay and Ottawa to allow northern communities and northern municipal leaders to actually go to Ottawa to lobby the federal government rather than having to go to Toronto and back over.

When the Ontario Northland Transportation Commission and I began to look at this, I told them I was not interested in having a flight we would have to subsidize, but I needed them to find a way to be sure that this would pay for itself. The increase in the number of routes and the

number of communities we will be into makes us feel certain that in the first year we will break even and in the second year we will make a profit.

On that basis I determined we should allow these flights to have adequate and efficient service not only for Kenora but for other northern communities.

Mr Harris: Here is what the Minister of Northern Development said last December: "I believe Kenora receives adequate scheduled air service from Bearskin and norOntair and we reject that a Dash-8 aircraft is necessary to service that." That is exactly what she said.

Four other private sector airlines tried to run a Dash-8. All cancelled, including Air Ontario, because they could not make it pay. The minister justifies that by saying, in addition to potentially throwing 25 employees out of work at Bearskin, she is also going to throw out the employees of Canadian Partner, which is going belly up now serving North Bay to Ottawa. She is going to run them out of business too.

The minister's mandate is to provide service to communities that do not have airline service: Ignace, Armstrong, Ear Falls, Nakina, Parry Sound. None of them has airline service now. Why is she taking government money, throwing more private sector employees out of work by bringing in government aircraft on the routes that are already serviced, and she still will not service communities that have no air service at all?

Hon Miss Martel: The member referred to the letter in December. It was certainly true that in December when the community asked me for this I told them no, I did not think we could run it at that time. The one thing not in the letter, of course, is that they thought we had an extra Dash-8 we were releasing to Air Ontario so we could put it into service.

I listened to the community, which is a little bit different than the third party usually does for people. They came back to me, they lobbied intensely and asked me to review the situation. I reviewed the situation with ONTC and we determined that by putting the Dash-8 not only into Kenora but into a number of other northern communities that needed additional service we could break even this year and make money next year.

Let me say one other thing about the allegations being made by Bearskin Air and Canadian Partner. Bearskin has alleged they will lose 25 people; Canadian Partner has alleged they will lose 40 pilots by our putting two planes into North Bay and Ottawa. I find it very hard to believe that either Canadian Partner or Bearskin Air will lose a total of 65 people because of these changes.

We have been meeting with Bearskin Air. We have asked them to put on the table where they think they are going to lose 25 employees. They have been unable to give us any evidence at all that there will be 25 employees lost. We have told—

Interjections.

The Speaker: Would the minister please take her seat.

1440

HOME GARMENT WORKERS

Mr Marchese: My question is to the Minister of Labour. Recently, a coalition of workers' advocacy groups in my riding of Fort York released a report on the appalling conditions facing home workers in Toronto's garment industry. It is estimated there are about 2,000 to 3,000 of these home workers in Toronto. Most of them are women and many do not speak English.

These workers have very little protection under the existing Employment Standards Act. They are not subject to the limitations on the hours of work. They are not entitled to statutory holidays or overtime pay. Home workers are entitled to the minimum wage under the Employment Standards Act; however, this provision is violated repeatedly by the employers. Some workers make \$3 an hour, some \$2 an hour and some \$1 an hour.

What steps has the Minister of Labour taken to ensure that existing employment standards are better enforced, and what is he doing to improve the legislation to offer better protection to home workers?

Hon Mr Mackenzie: I thank the member for the question. I also thank him for his concern and work with the home workers, and the coalition and its work as well. We are concerned about the health of these workers and their wellbeing and the jobs they have. The Ministry of Labour is in the process of taking a look at the Employment Standards Act. One of the specific areas we are looking at is the protection for home workers and other workers in Ontario.

INVESTIGATION INTO POLICE SHOOTING

Mr Curling: My question is to the Solicitor General. On Monday I asked the Solicitor General to revoke a secret protocol that severely hampers the ability of Ontario's special investigations unit to conduct an independent investigation into police shootings. Instead of answering the question, he said he could not interfere with the workings of the SIU. I presume he is saying he agrees with the secret protocol. What he is also saying is that it is okay for police to investigate police. I would like to ask the Solicitor General today, does he approve of the secret protocol between the SIU and Ontario's police chiefs?

Hon Mr Pilkey: I am not aware of any secret protocol between those groups. Mr Osler, through the review of the Police Services Act under the previous government, established the SIU, which is unique not only here in Canada but in all of North America. It is in its infancy; it has not been in operation very long. From time to time, I am sure it will be reviewed. As a matter of fact, my information is that Mr Osler himself has indicated he is initiating a review with respect to the unit and its functioning.

Mr Curling: This minister does not know one thing that goes on in his ministry. I am very shocked to know he has said there is no secret protocol. Let me bring the minister up to date. Right inside his ministry, on April 16, 1991—this year—his deputy and the assistant deputy and the members of his legal branch participated in developing a secret protocol. In fact, his own legal branch drafted the

protocol which now so severely limits the action of the SIU. These officials report directly to the minister. The minister cannot hide from that responsibility. Mr Osler said the ministry asked that this be reviewed, and the minister is saying today there is no secret protocol. Will the minister today revoke that secret protocol so the SIU can continue its investigations?

Hon Mr Pilkey: The member is sincere, but of course he is misinformed. I would like to indicate that the protocol he suggests I am not aware of, I am in fact quite aware of. I am quite aware of how it started. I am quite aware of the participants in that protocol and the contents thereof. I indicate as evidence to the member opposite the fact that it is not a secret protocol. Obviously it is not. He knows about it. He is reading something in front of him and sharing it with the entire House. If that is a secret document, that is a strange way to have a secret.

GARBAGE DISPOSAL

Mr Cousens: My question is for the Minister of Northern Development and Mines. Last week in a referendum in Kirkland Lake, close to 70% of the people in that municipality endorsed the suggestion of there being a full environmental assessment for the Adams mine site to accept greater Toronto area garbage. This indicates that the citizens of Kirkland Lake view this as an economic opportunity and not as the establishment of a huge garbage dump. In fact, they see the Adams mine site becoming a highly developed waste management system. Is the minister going to listen to the people of Kirkland Lake and at least consider this opportunity for economic development?

Hon Miss Martel: I have met with the mayor of Kirkland Lake on several occasions. We have discussed this at all our meetings. I have made it very clear to him that any proposal with respect to moving garbage from the GTA to Kirkland Lake or anywhere else in northern Ontario would not be entertained by myself, by the Minister of the Environment or by this government.

Mr Cousens: It is a matter of record that the people of Kirkland Lake very much want to look at this as an option. The fact is that the government has already spent millions of dollars on economic diversification plans for northern Ontario, something like \$250 million for Elliot Lake out of Ontario Hydro's funds and another \$260 million for Kapuskasing, and yet her colleague the Minister of the Environment states unequivocally in Bill 143 that transportation of waste outside the greater Toronto area will not be considered as an option under the environmental assessment process. Will the Minister of Northern Development stand up for the people of Kirkland Lake and allow them the opportunity to be proactive in their own economic development?

Hon Miss Martel: We all have different ideas on development. I can tell the member that I was very pleased to meet with the mayor and a number of his council members, along with his economic development officer, about three weeks ago to review a document that our ministry has funded which looks at economic development opportunities in the region, many of them in relation to mining

activities. We have made an undertaking with him that we will have the mine staff deal directly with the economic development officer as soon as possible to determine which of the proposals we can meet and fund. But I make it very clear to this member, as I have to the mayor on several occasions both in Toronto and within the community, that I will not entertain this proposal.

The other thing I want to say is that I find it very interesting that when I do listen to the people, as I did in Kenora, I get dumped all over by these clowns on the other side, and I find that very strange.

Interjections.

The Speaker: Order. I ask the honourable member if she would withdraw that.

Hon Miss Martel: I do withdraw the remark "clowns."

LANDFILL SITE

Mr Wiseman: I rise on behalf of the member for Halton North, who is ill today. He very much would like to know the status of the negotiations—

Interjections.

The Speaker: Order.

Interjections.

1450

The Speaker: The member for Durham West, to whom is your question directed?

Mr Wiseman: It is to the Minister of the Environment. I would like to continue. This question is on behalf of my colleague the member for Halton North, who is too ill to ask it today. As he has indicated on many occasions in this House, he has a deep interest in what happens to the Acton quarry and would like an update from the Minister of the Environment as to the status of the negotiations on the Acton quarry.

Interjections.

The Speaker: Order.

Hon Mrs Grier: I am very glad to have an opportunity to put on the record the status of the proposal by Reclamations Systems Inc that a waste management site be developed in the Acton quarry. I know the member for Halton North is vitally interested in this issue. As people who have read the daily papers will realize, today the government review of the environmental assessment has been completed and released for public comment. It is customary that the period of public comment be 30 days, but given the requests for a longer review period from the residents of that area and from the municipalities in Halton, I have instructed that there be a 60-day period for that public comment. When that comment has been received, then the project can be reviewed by my ministry.

ENVIRONMENTAL LEGISLATION

Mr McClelland: My question is for the Minister of the Environment. Yesterday, in response to my question, the minister took offence at my characterization of Bill 143. With Bill 143, what she has done is to declare war on the fundamental rights of people in Ontario. How can the

minister, of all people, in good conscience justify Bill 143, which overrides every single piece of legislation designed to ensure the protection of the environment, including the Environmental Assessment Act, the Planning Act, the Municipal Act and the Environmental Protection Act?

These acts are not legal impediments, as she once characterized them. The people of Mississauga, Vaughan and the rest of Ontario see them as legal rights and environmental protection measures. Can the minister ensure that her actions will not cause permanent harm to the environment, when she has chosen to bypass every check and balance and approvals process that is presently in place?

Hon Mrs Grier: I object to the member's characterization of the actions I have taken in issuing minister's orders to the regional municipality of Peel and the municipality of Metropolitan Toronto. Under section 29 of the Environmental Protection Act, I have the power and the responsibility to issue those orders. They have been used by my predecessors on so many occasions in the past.

Interjection: You mean Jim Bradley used them?

The Speaker: Order.

Hon Mrs Grier: For example, let me assure the House that my predecessor in office used section 29 of the Environmental Protection Act to order waste from Orangeville into Keele Valley and I do not remember calls for an environmental assessment process in that case. The situation we are faced with and which Bill 143 is designed to address—

Interjections.

The Speaker: Would the minister take her seat.

Interjections.

The Speaker: Would the minister complete her response.

Hon Mrs Grier: The issue that section of Bill 143 is designed to address, as the member well knows, is the immediate crisis we face in the time between the running out of capacity of those sites and the coming on stream of the new long-term sites which are being sought. It is our intention to have that gap be as brief as possible, but for that period it would be irresponsible of me not to plan for the contingency that there would in fact be that gap. That is the kind of decisive action this government is prepared to take.

Mr McClelland: For the minister to compare the issuing of orders to a piece of legislation that wipes out people's rights is absolutely absurd. This is the same minister who said she supported an environmental bill of rights and said she would see to immediate passage of it upon her election. Is it not true that had her environmental bill of rights been in place, the bill would have had to be added to the list of bills that she is ready to wipe out in order to get Bill 143 in?

Hon Mrs Grier: I know the member and all the members of his caucus will be delighted to learn that the preparation of a draft environmental bill of rights is well under way and is proceeding with a broad consensus from a broad range of stakeholders who see the need for this kind of legislation. There is no question in my mind that we will have an environmental bill of rights before this House and

that the rights of the people of this province to protect their environment will be protected. That does not change the situation that there are emergencies which occur, and any Minister of the Environment will require to have, as have all previous ministers of the Environment, the power to make orders to protect the health and safety of the people of this province in the event of an emergency.

The Speaker: New question, the member for Mississauga South.

Mrs Marland: My question is for the Minister of Education. Is he here? He was here a minute ago.

The Speaker: The minister is not in the chamber. Is there some other person to whom you wish to address your question?

Mrs Marland: It is very difficult to have question period with so many cabinet ministers absent. We had the same situation yesterday.

UNEMPLOYMENT

Mr Villeneuve: In the absence of the Minister of Labour, I will go to the Treasurer and Deputy Premier. The Minister of Labour announced that the city of Cornwall and area workers had requested an older and displaced worker centre over two years ago. The Minister of Labour, I think, has left the impression that sooner or later Cornwall will get this help centre. I would like the Treasurer to confirm at this point that indeed the Cornwall area will be getting the help centre, which would be initiated to help workers between the ages of 35 and 50 years who do not have employment.

Hon Mr Laughren: I think the member for S-D-G & East Grenville knows me and the Minister of Labour well enough to know that I would not make a statement on his behalf, but I will speak to him about it.

Mr Villeneuve: I was not aware that the Minister of Labour had been asked to leave early, and apparently he was. He was scheduled to be here all afternoon. However, would the Treasurer please look into a situation where the city of Cornwall has been promised this help centre for more senior unemployed workers, so that it will not go to another city for political reasons.

Hon Mr Laughren: I can certainly assure the member that it would not go to another city for political reasons, at the very least, but I will talk to the Minister of Labour about the very important matter the member has raised.

BREWING INDUSTRY

Mr Mills: My question is for the Minister of Consumer and Commercial Relations.

Mr Stockwell: He is going to read it.

Mr Mills: I am not going to read it; it is from the heart.

The Speaker: Would the member place his question please.

Mr Mills: In my riding, and likewise in all the other ridings, a lot of small restaurants and pub-type places are having a hard time making ends meet. The final nail is

their coffin is the fact that now Brewers' Retail is charging them to deliver beer. I am just wondering what the minister can do about that. This is enough to put them right in the hole.

500

Hon Ms Churley: I would just like to point out, for those who do not know, that the Brewers' Retail is privately owned and that the government cannot control its policy. However, I do have a comment to make on the question.

I was very concerned about the new costs associated with delivery. I asked to meet with Brewers' Retail. We did meet. I asked if they would consider at least postponing the new charges for delivery and happily they agreed to do that at my request. Since then, they have met at least once with the Ontario Hotel and Motel Association to discuss perhaps other options of dealing with this situation.

Mr Mills: There are beer stores closing down all over the place. I am just wondering what we are going to do with the folks who are faced with this situation: when the beer store closes and they are left without any place to buy their beer. What is the minister going to do about this?

Hon Ms Churley: As I said, the ministry does regulate and control the sale of beer. We cannot stop the breweries from closing down beer stores. However, I have asked the LCBO, in four areas where there is no beer store left in the community, to provide a large assortment of beer in the LCBO stores, and that is happening. I think three of the four LCBO stores in those communities have a large variety of beer for consumers now.

WORKERS' COMPENSATION BOARD

Mr Offer: I have a question for the Treasurer. In the past three weeks, we have watched the Treasurer rail on about the need to cut back programs, freeze expenditures and control expenses in order to keep Ontario competitive.

As the Treasurer is aware, the Workers' Compensation Board is now examining two policy proposals: eligibility and workplace stress. Both these initiatives are deemed to be very expensive by employer groups, and yet the WCB has said unequivocally that it will not do any financial impact studies on these two proposals. If that is not enough, the Minister of Labour has now said that he will not be involved in any way in this process and that all decisions must rest with the WCB.

I ask the Treasurer this question specifically because the proper financial management of this huge enterprise is of vital importance to Ontario's economy. Does he not agree that a proper financial analysis of these two new WCB initiatives is essential? If so, will he, as the chief financial officer for Ontario, ensure today through his ministry and undertake that these impact studies will take place?

Hon Mr Laughren: I appreciate the question from the Labour critic of the Liberal Party. I am aware of the studies that are going on, and I believe there are public hearings being held across the province on these matters. It is my understanding that we wanted to allow those hearings to take place before any parties moved to get them-

selves involved in an economic impact study. Let's at least allow that process to take place before anything else is done.

Mr Offer: I am quite troubled that the Treasurer was not able to say today that he would at least undertake to provide a financial assessment and an impact analysis of two policy proposals which will affect business and Ontario's economy and its ability to be competitive.

Members will be aware that the WCB has just released its third-quarter financial report. The astounding part of this report is that the WCB's unfunded liability has increased in one year almost \$1 billion to \$9.9 billion, which the WCB chairman has stated might result in significant rate increases. It is unacceptable that such increases come about because new programs that were not properly costed or analysed were implemented.

The Treasurer's answer to this question is absolutely vital to the backbone of our economy, the men and women who make up Ontario's business community. Will he ensure today that financial impact analyses are carried out on all new WCB program initiatives such as these two new proposals, and will he guarantee that these two crucial fiscal proposals will come before this chamber for full debate before they are implemented?

Hon Mr Laughren: I know that all members in the assembly share my concern about the WCB. I have been here enough years to recall the debates that went on among all three parties dealing with the problems that have bedevilled all of us. I am concerned as well about any major new assessments by the WCB.

The WCB, as members know, is facing a very substantial unfunded liability and is concerned with its assessments on the employer community as well. I assure the Labour critic for the Liberal Party that we will indeed look very carefully at the recommendations that come out of those hearings that are being held. As well, I will talk to the Minister of Labour about to what extent that will lead to an economic impact study.

The Speaker: The member for St George-St David.

Mr Scott: This is rather difficult to explain, but earlier in the day there was an exchange between my colleague the member for Fort William and the Treasurer about the extent to which he was prepared to predict that expanded taxes would occur in the budget. That is an important question, but much more important is that there should be no new taxes.

I want to resolve the problem this way: I will offer to pay each member of the government \$200—

The Speaker: Would the member for St George-St David please take his seat.

NOTICE OF DISSATISFACTION

Mr McClelland: On a point of order, Mr Speaker: A while ago, I placed a question in supplementary form to the Minister of the Environment. Her answer had absolutely no bearing whatsoever on the supplementary question I put to her. She did not even begin to touch on a response in any meaningful way. Accordingly, pursuant to section 33(a) of the standing orders, I invite the minister to debate

with me tomorrow evening that particular response that was not forthcoming today.

The Speaker: I trust the member for Brampton North will file the necessary document with the table.

Hon Mrs Grier: I regret to inform the member for Brampton North that I will be in Vancouver tomorrow evening at 6. I would be happy to have a late show on Monday if that will accommodate his concerns.

The Speaker: As is the custom, the matter can be dealt with by mutual agreement, and I am sure the two parties involved can determine how best to handle this.

PETITIONS

GASOLINE PRICES

Mr Morin: I have a petition signed by 150 people which reads as follows:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Whereas gasoline prices are significantly higher in the Ottawa area than those in southern Ontario;

"Whereas such a price disparity discriminates against Ottawa-area consumers;

"Whereas the government of Ontario has eliminated provincial licence fees for northern residents to compensate for a similar gas price disparity between southern and northern Ontario."

"The Legislative Assembly of Ontario should urge the Ontario government to correct this injustice to Ottawa-area motorists."

ELECTROLYTIC EPILATION

Mr Morin: I have a second petition. It is from a group of 101 citizens and has to do with the withdrawal of medically prescribed electrolysis from OHIP coverage, which they feel is unfair.

CHURCH OF SCIENTOLOGY

Mr Poirier: I have a petition which concerns the Minister of Consumer and Commercial Relations.

"To the Legislative Assembly of Ontario:

"Whereas, we are clergy and members of many different faiths in Ontario; and

"Whereas, we believe in the fundamental right of all Canadians, under the Charter of Rights and Freedoms, to have freedom of conscience and religion; and

"Whereas, our country and the province of Ontario are bound by this charter; and

"Whereas, there are many faiths in Canada, both old and new, and these faiths, under the Charter of Rights and Freedoms, are free to practise on an equal basis without discrimination; and

"Whereas, it is not the mandate of government to determine religious nature or interfere in God-given, spiritual matters; and

"Whereas, the Church of Scientology has been recognized to solemnize marriages in British Columbia, Alberta, Saskatchewan, Manitoba, Nova Scotia and Yukon, is recognized around the world as a bona fide religious body and is long deserving of being registered to solemnize marriages in the province of Ontario;

"We, the undersigned clergy and members, petition the Legislative Assembly of Ontario as follows:

"To instruct the Ministry of Consumer and Commercial Relations to end their discriminatory practices and license ministers from the Church of Scientology to solemnize marriages in Ontario."

This petition is signed by 24 members of clergies and different religions across Ontario. I have signed the petition and I submit it to the Legislative Assembly.

1510

ENVIRONMENTAL LEGISLATION

Mr Offer: I have a petition. I will not read it all but will just indicate that it is signed by a number of very concerned residents surrounding the Britannia landfill site. They express their concern to the Minister of the Environment and the Premier and urge the minister to keep promises and to keep those agreements made by the city and the residents of Mississauga and to make certain that the legislation makes certain that all the bylaws will be abided by. I have signed this petition.

GASOLINE PRICES

Mr Chiarelli: I have several petitions addressed to the Legislative Assembly of Ontario and signed by residents of Ottawa-Carleton:

"Whereas gasoline prices are significantly higher in the Ottawa area than those in southern Ontario;

"Whereas such a price disparity discriminates against Ottawa-area consumers;

"Whereas the government of Ontario has eliminated vehicle licence fees for northern residents to compensate for a similar gas price disparity between southern and northern Ontario;

"The Legislative Assembly of Ontario should urge the Ontario government to correct this injustice to Ottawa-area motorists."

I have signed all these petitions and I agree with them. I urge the members to take the advice of these residents of Ottawa-Carleton that the Legislative Assembly of Ontario should urge the government to correct this injustice to Ottawa-area motorists.

ENVIRONMENTAL LEGISLATION

Mr Offer: I have a petition signed by a number of residents around the Britannia landfill site who urge the Minister of the Environment and the Premier to keep their promise that any expansion of any existing site would not take place without a full environmental assessment hearing. I have signed my name.

I have another petition, again signed by a number of residents. I think it connotes the great concern held by a number of people around the Britannia landfill site. Again they wish to express their concern to the Minister of the Environment and the Premier of the province, asking them to keep promises they have made with respect to agreements around the city of Mississauga and the residents of Mississauga, and to make certain all present bylaws are abided by.

The Speaker: Another petition? The member for Mississauga North.

Mr Offer: Thank you very much, Mr Speaker. I do not believe this is out of order. Again it has been given to me by residents in my riding who happen to live around the Britannia landfill site. I will be reading these petitions to them. They are each signed by at least 20 residents who are expressing their concern over the actions of the Minister of the Environment and the Premier of Ontario with respect to Bill 143 which will result in the expansion of the Britannia landfill site taking place without any opportunity for them to have any impact on the decision or to share their thoughts.

I have a further petition, again from residents around the Britannia landfill site, part of a residents' association, expressing their concern to the Minister of the Environment and the Premier of Ontario with respect to their actions which will result in the expansion of the Britannia landfill site without their being able to have any input into or any part in a consultative process in an area that will affect the place where they live.

I have a further petition. I believe this is crucially important. I think it really does signify the very great concern people around the Britannia landfill site have with respect to its expansion without being able to have any input into the process. They are expressing their concern to the Minister of the Environment and the Premier of the province and urging them to keep their promise.

The Speaker: I am not ruling the member out of order, but realizing that all his petitions are the same, I would like to check for a moment to see if there are any other members who have petitions to present today, since we do have a time limit. Are there any other members in the chamber who have a petition to present?

Mr Offer: Certainly if there are any other members who have petitions I will yield the floor for them to introduce their petitions, because I believe they are probably as important as the petitions I have before me, signed by so many people in the area who feel quite aggrieved by the actions of the Minister of the Environment and the Premier of Ontario who stated earlier that there would be no expansion of any existing site without a full environmental assessment hearing.

Indeed there are actions by the minister to extend the Britannia landfill site without any hearing, without any opportunity for them to share with the minister their thoughts, their concerns and their opinions about what this means to them, to their children and to the place they live.

This petition is signed by a number of residents wishing to express their concerns to the Minister of the Environment and the Premier of the province, asking them to keep the promise and make certain that the agreements made with the city and the residents of Mississauga are abided by.

I have a further petition again signed by a number of residents around the Britannia landfill site. They have instructed me and I wholeheartedly agree that this is one opportunity they can use to show they are a very unified, co-ordinated group of caring people who see that a landfill site which has been slated to close—plans have been made

for its closure—which will reach capacity probably in the next few months will now be potentially expanded for many years.

This contravenes an agreement made by the city of Mississauga and the region of Peel and certainly contravenes a promise made by the Minister of the Environment and the Premier of the province when in the last election they stood at the foot of the landfill site and said: "Vote for us. If you do, there will never be a new site or any site expanded without a full environmental assessment hearing." What has happened is that the Britannia landfill site is indeed being expanded without any—

Mr White: On a point of order, Mr Speaker: I believe the member is making a speech and not reading a petition.

The Speaker: The member raises a point of order. The member for Mississauga North will know it is customary to simply read the petition verbatim into the record or to make a synopsis if it is a long petition, and to indicate perhaps if the member is affixing his or her signature.

1520

Mr Offer: I hope the member for Durham Centre who has objected to the residents in my riding having an opportunity through petition to have those petitions entered will take part in the debate on Bill 143 and certainly try to explain to his residents why it is—

Mr White: On a point of order, Mr Speaker: The issue was not my objection to the residents but the way in which the member has flouted the standing orders.

The Speaker: To the member for Mississauga North, I would draw his attention to standing order 35(b) to indicate that it is helpful if the member would simply summarize the contents of the petition and indicate whether he wishes to affix his signature to that petition.

Mr Offer: It is always my pleasure to be as brief as possible, even when we are dealing with a matter which is so very important to the residents around the Britannia landfill site.

I have a petition, Mr Speaker, in keeping with your order, signed by a number of residents around the Britannia landfill site expressing their concern to the Minister of the Environment and the Premier of the province and requesting them to keep the promises made and to make certain the agreements made to the city and to the residents will be kept.

Interjection.

Mr Offer: A member of the government asked how many signatures, I think somewhat imputing that the people around the Britannia landfill site did not sign these petitions. May I invite the member to come to that area. It would be nice for the member to have the Minister of the Environment along.

The Speaker: Would the member take his seat. I ask the member to abide by the standing orders and simply summarize the petition, indicate, if he wishes to, the number of people who have signed it, which is not obligatory, and indicate whether he wishes to affix his signature.

Mr Offer: Mr Speaker, I will in fact do so, but I hope you understand that when someone starts to say that these petitions are not in fact signed by caring and concerned

residents, I feel somewhat moved to respond to some outburst by government members.

I have a petition signed by a number of concerned residents around the Britannia landfill site, again wishing to express their concern to the Minister of the Environment and the Premier of the province, urging them to keep the promises made during the election that there would be no expansion of any existing site without a full environmental assessment hearing. Bill 143 does in fact fly in the face of that promise made. I affix my signature.

In the brief time left for petitions, I have a further petition again signed by residents surrounding the Britannia landfill site, expressing their concern to the Minister of the Environment and the Premier of the province, urging them to keep the promises they made in the last election that there would be no expansion of any existing site without environmental assessment hearings. As I am sure all members now know, that is not being kept as a promise in Bill 143.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mr Runciman from the standing committee on government agencies presented the committee's 18th report.

The Speaker: Pursuant to standing order 104(g)(11), the report is deemed to be adopted by the House.

ORDERS OF THE DAY

CITY OF NORTH YORK ACT, 1991

Mr Farnan moved, on behalf of Mr Mammoliti, second reading of Bill Pr62, An Act respecting the City of North York.

Motion agreed to.

Third reading also agreed to on motion.

ARMENIAN COMMUNITY CENTRE OF CAMBRIDGE ACT, 1991

Mr Farnan moved, on behalf of Mr Mammoliti, second reading of Bill Pr68, An Act respecting the Armenian Community Centre of Cambridge.

Motion agreed to.

Third reading also agreed to on motion.

House in committee of the whole.

ELECTRONIC REGISTRATION ACT (MINISTRY OF CONSUMER AND COMMERCIAL RELATIONS STATUTES), 1991

LOI DE 1991

SUR L'ENREGISTREMENT ÉLECTRONIQUE DANS LE CADRE DE LOIS RELEVANT DU MINISTÈRE DE LA CONSOMMATION ET DU COMMERCE

Consideration of Bill 126, An Act authorizing the Filing of Information in an Electronic Format under Statutes administered by the Minister of Consumer and Commercial Relations / Projet de loi 126, Loi autorisant le dépôt de renseignements au moyen d'un support électronique dans le cadre de lois dont l'application est confiée au ministre de la Consommation et du Commerce.

Mr Tilson: I have delivered to the clerk one proposed amendment I wish to speak on very briefly. I also have several questions and comments I wish to put forward to the minister.

The Chair: To which section is your amendment?

Mr Tilson: I am moving that the bill be amended by adding a section which would follow section 5.

The Chair: Mr Tilson moves that the bill be amended by adding the following section:

"5.1 No database used for the storage of information in an electronic format shall be managed by any person or association other than the ministry."

Mr Cousens: Mr Chairman, I hope we can just deal with the amendment but there will be other sections that pertain to this bill. We can deal with them as we go along, unless you are going to insist we go section by section. I would rather we just deal with the whole bill and then come back and deal with other parts.

1530

The Chair: The practice normally is to go section by section unless the House decides to do it somewhat differently.

Mr Cousens: I will ask for permission.

The Chair: So we will proceed in the normal way. Shall sections 1 to 4, inclusive, carry?

Mr Cousens: No. I just wonder if this bill is going to affect any of the registration act or the Polaris project as you look at the event of a conflict between this act and any other act. What implications does it have for the registration system in Ontario?

Hon Ms Churley: I understand, from consultation with the third party, that there is one amendment that is to be moved, which he has moved, and I am happy to respond to that amendment or at the end of the process. The member for Markham has brought in another issue here and I would like the Chair's ruling on that.

The Chair: The amendment has not been moved yet.

Hon Ms Churley: Okay.

The Chair: We are just preparing the debate, in reality.

Hon Ms Churley: Yes. I am happy to allow the member from the third party to make his comments, and after the amendment is moved I will make some comments at the end of that, but I understood that was the process.

Mr Cousens: Since the Chair has insisted that we go through the bill seriatim by section—

The Chair: I would prefer that, yes.

Mr Cousens: —I had other questions on other sections. Obviously the amendment does not stand. Is that not true? If the amendment is not on the floor, then I have asked another question of the minister pertaining to another part of the bill.

The Chair: Correct. Do you wish to bring in your amendment now?

Mr Tilson: Mr Chair, as I understand it, you were asking if there was anything to deal with sections 1 to 5 and I think the member for Markham and I have several

questions on that issue. We only have one amendment, but we might have some questions on sections 1 to 5.

Mr Cousens: Numbers 3, 4 and 5; pass 1 and 2 if you want.

The Chair: I wish you could inform the table which section you want to debate, or if you have any amendment. Is there any amendment to section 1? Shall section 1 carry?

Section 1 agreed to.

Section 2:

The Chair: Are there any amendments to section 2?

Mr Cousens: Just a question: Could the minister tell me just what controls are in place to protect information under the—

Mr Hope: I thought you said 3, 4 and 5, Don.

Mr Cousens: There happen to be other ones. Since I am getting a difficult time from the government, and from the Chair, it makes one want to ask other questions, and that is exactly where it comes from.

I want to know what protection there is for data that are going into these systems to be protected from outsiders getting hold of that information, clause 2(b), where it says you are transmitting "information directly to an electronic database maintained for that purpose." Can the minister give us assurance that this information is not going to be in the hands of non-government people?

Hon Ms Churley: Yes, I can give the member an assurance on that. This may help in terms of some of the other questions he wants to ask, which were dealt with rather extensively in committee. Bill 126 is enabling legislation. I hope the member for Markham can hear my answer, because I think it will clarify some of his other questions. I can absolutely assure him it has no connection with Polaris. It deals only with the filing of information, which already takes place. The only thing we are doing here is creating another option for the filing of that information which we receive anyway now in paper form. It has nothing to do with the management of the information whatsoever. Yes, I can assure the member that there is absolutely nothing to fear.

Mr Tilson: I think the purpose of the question is that on the very face of the name of the bill, and as the minister clarified in the resources development committee, the bill says it is An Act authorizing the Filing of Information in an Electronic Format under Statutes—that is plural—administered by the Minister of Consumer and Commercial Relations. The minister indicated that it would deal with all statutes administered by the Ministry of Consumer and Commercial Relations. That includes the Registry Act; it includes all other acts. In fact, she went on to say that it included as many as 50 pieces of legislation. It certainly does involve the Registry Act if it involves all pieces of legislation that are administered by the Ministry of Consumer and Commercial Relations.

I think the question is quite clear. This party has been quite certain that we support the principle of what the government is trying to put forward to make the system run smoother. What gives us great concern is the loss of our

freedoms. That is the purpose of the question from the member for Markham as to how the minister can assure us that this bill does not go to Teranet, as do all the other pieces of legislation administered by the Minister of Consumer and Commercial Relations. In short, is the Ministry of Consumer and Commercial Relations going to exist any more or is it all going to be operated by Teranet?

Hon Ms Churley: As I said, this question was dealt with extensively in committee. I assured the members at that committee, and I just did again. For some reason, there is some trouble in the third party understanding what this bill is all about. I have to take some responsibility for that, I guess, because I have been trying to indicate—I will say again—that all this bill does is that it does not change the management of this information; it does not change any of the things they have fears about. This system is a filing of information that already exists within the ministry. The management of that information will remain the same. Nothing changes there, and there is nothing in this bill that would indicate there is any connection to Teranet or anything to do with that at all. It just gives people more freedom. It gives people another choice of how to file that information. That is all we are talking about here.

Mr Tilson: I am going to ask a question I put the minister on notice of in an open letter I wrote to her some time ago. I cannot recall the date; it was several weeks ago. What provisions can she put in this bill, or indeed are there some provisions in this bill I have not noticed, that will protect individual privacy?

We have spent a great deal of time in questions in the House and outside the House and in committee and in correspondence to the minister's office asking for that information, referring specifically to Polaris and how it is being operated by an unknown private company called Teranet. We do not even know who the shareholders are. It is that issue the member for Markham is concerned about, as am I.

How does the minister intend to assure the people of this province that their privacy will be protected with a bill such as this when we have seen what this government has done with the land registry system? We have seen what they have done with that. They have essentially given it away to an unknown private company, which is held by unknown individuals, on an unknown contract that is going to go on for ever and be kept secret for ever.

Hon Ms Churley: The information that is being collected through this other means of collection—paper versus computer, or both; people will have the choice—is already public information. Again I say there is absolutely no difference. That information is publicly there right now. It is protected information. In the same way we protect that information now through various means, as to the information that comes through on another system when people make that choice, there is nothing changed in the system. I say again that the information that already flows through this system is already public information. There is no difference here.

On the member's reference to Teranet, which I think is really unfortunate, continuing to bring it into this particular

bill, I know he has a great deal of interest in it and that we are going to meet and talk about it. I am hoping I can provide him with further information about that to satisfy some of his concerns.

1540

I too share the member's concerns about privacy, and I share concerns about protecting people's privacy. I want to clarify for the member that even within Teranet, although it is not connected to this bill in any way, the land registry system within Teranet, as part of the master agreement, will remain for ever within government control. The fee structure and all of that, even within Teranet, will remain within government control. So some of their fears about Teranet, I would say all of their fears about Teranet, are in fact unfounded. I will be happy to provide them with more information about that later, but again I say there nothing is changed in this bill in the management of the system, and the privacy of information will be protected the same after this bill is passed as it is being now within the public domain.

Mr Cousens: Part of the question we would like to understand is, what is public and what is private? Therefore, if something is public and is public information, we would like to know that is going to go through systems such that paper documents or any other documents are easy, are available, are accessible and that the whole system is public. What is public and what is private within her ministry? Is there any way in which we in opposition or the public at large can know what information is going to be protected and preserved and have security rings around it and what information is not?

Hon Ms Churley: Privacy is protected by each act that designates the collection of information, so out of all the acts, the privacy is protected individually by each of those. I should point out to the member again that this bill we are hoping to get through this afternoon, as per our agreement, is actually a very simple one and is enabling legislation. As the member knows, today there is just one of the acts that is ready to go into this and this legislation is enabling, and each of the other acts, when they are ready to come forward, will have to go through a process before they are included in this second option of registration.

Mr Tilson: The minister has indicated that each individual bill will protect individual privacy, depending on which area. How does Bill 126 protect the privacy of individuals in Ontario?

Hon Ms Churley: As I have already said, Bill 126 is enabling legislation that allows dealing with the filing of information, not the management of the information, so the ownership and control and security of the information does not change. Every act under my jurisdiction already sets out what can do what with this information. This would add no new protection. Getting back to the member's amendment, there is no difference right now. If he is asking specifically what kind of information comes in and how it is public information under the existing bill—is that what he is asking me?

Mr Cousens: No. Part of what we are asking—

The Chair: Order, please. The question was asked by Mr Tilson. Would you like to elaborate on the question that was raised by the minister?

Mr Tilson: The question has to do with individuals' protection of their privacy, and yes, it does refer back to the land registry act, the Registry Act of the province, because that is one of the statutes that is administered by her ministry and that is one of the bills this is referred to. That is the connection to Teranet, which has taken over the administration of the land registry system according to the contract the minister will not produce. That is our fear, that our individual privacy is being lost as a result of action, and this is even more. We do not know what they are going to do with this information. There is nothing in the contract.

If the Ministry of Consumer and Commercial Relations were administering and controlling this information, then there would be no problem. We would support the minister 100%. But it is not. It is being handed out to unknown individuals, probably not even from this country.

Hon Ms Churley: The personal property security that is coming on stream right now is public information. There are no changes in the information that will be filed right now. All kinds of information come into the ministry that for obvious reasons are filed and then made known to the public. There is no change in that.

I reiterate once again that the allegations the member is making and the connections he is making with Teranet taking over the land registry system just are not so. They are not true. The government retains control over that. But as I said with regard to each of the other acts that will come on over time, there will be different means of protecting the information, depending on what is already in the act and what kind of information that involves and whom it concerns.

For instance, there is no big secret deal with Teranet. There is a master deal. Certain issues, as the member knows, are protected under the Freedom of Information and Protection of Privacy Act: the third-party information that I believe the member has filed to get. Otherwise there is no big secret deal and there is nothing at all about this bill that is connected and there is nothing about this bill that changes the way we do anything at all. It is another way of filing the information we already get.

Mr Cousens: These rank as the worst answers I have ever heard from any minister. I do not think she knows what she is talking about.

Hon Ms Churley: You do not know what you are talking about.

Mr Cousens: Then I want to ask the minister a question and she can answer it, because she has not come close to answering the questions we are trying to get to. I think the minister is insulting us. I asked her, what is protected? How is the information protected in the files, in the computer system she is bringing forward in this bill? How is that information protected so that someone who is not authorized to get to it cannot get to it?

Hon Ms Churley: With all due respect, it is the member for Markham who does not understand what he is

alking about here. This information he is talking about is public information. People can come and get that information. It is as simple as that. It is not secret information.

Mr Cousens: There is no private information affected by this bill at all. Is that what the minister is saying? Will he put that on the record?

Hon Ms Churley: That is right. I will put that on the record: There is no private information in this act.

Mr Tilson: Who is going to manage the information that is being collected? Teranet? Are the banks going to receive it? The minister told us in committee that the large banks and the large law firms would be the only people who would have equipment that would provide this service. The minister is not going to provide the equipment. The little man will have no equipment. They are going to have to go to the banks or the large law firms, which are going to charge outrageous fees to use this equipment.

The minister is not going to provide it. She is going to make it more expensive for people to use it. In other words, the managing of this information, in the same way Teranet is managing the land registry system, is going to be by private sources. The minister is delegating that away. It is a disservice to the people of this province.

The question does get to the amendment. How is this going to be managed? Can the minister assure us today, and if so refer us to the question, that the Ministry of Consumer and Commercial Relations is not only going to be managing this information but all the other information that is going to be accumulated by the sections or bills that are referred to in Bill 126, all of the bills that are managed by the entire Ministry of Consumer and Commercial Relations? That is how widespread this bill is. The minister gives the impression it is a Mickey Mouse type of bill. It covers her entire ministry. That is how serious it is.

Again, the question to the minister is, who is going to manage this information once it is accumulated?

550

Hon Ms Churley: The personal property security registration will manage the system as it manages it now. It is as simple as that. There is no change in the management. I think it somehow has not become clear, but there are 49 branch offices the ordinary person can now use and will be able to continue to use. That also does not change. No, I am not referring to this as a Mickey Mouse bill. I notice the member has one amendment today, which I was hoping we could talk about. The member for Markham made a statement that I gave a dumb answer and did not understand the implications of what I am talking about. That is not so. In fact, this is a very simple issue.

This is not all tied up in complicated computer issues. It is a matter that I would say any layperson could understand. It is simply another method of transferring information, one-way information, to the computer, a filing system. It is not two ways. People cannot get into it except to file information that they are already filing to us anyway. It does not change the ownership of the information we collect.

Mr Cousens: Who will be able to get into these files? Will I or any other person be able to dial into these files?

Hon Ms Churley: There is the question of who will get into the files and file the data. Those will be the people who are authorized to do so, with checks and balances put in, who will be able to file their information one way. As of now, this will not change. Anybody can pay \$6. That will not change after the information is filed in this way. People can pay \$6 and they are entitled to do a search.

Mr Cousens: Can I? Just to ask the question again, can I then get into the files and personally use a computer modem to dial up and get information from those files?

Hon Ms Churley: That is not what I said. It is one-way information.

Mr Cousens: How public is that information? That is what I am trying to find out.

Mrs Caplan: If you pay your \$6, they'll give you the information.

Mr Cousens: Then the other aspect to the question is, can the minister give us examples of the files that are going to be on that from the different statutes? Can she give us a number of them? Can she just list them off so that we know exactly what she is talking about?

Hon Ms Churley: This is the Personal Property Security Act. That is all at this point. That is the only act in this enabling legislation at this time. That is the only one at this point. Because this is enabling legislation, the others will come on stream when they are ready to do so. I want to assure the members this is a good bill. This is keeping up with technology. It is going to help people on the street. It is going to help save money. It just eliminates one step in a process that is already in place.

I have to say that members are being unnecessarily histrionic about a simple bill. It is plain housekeeping and I think members know that. It has no connection to Teranet. I suggest we get on with it, pass this housekeeping bill and deal with the amendment today. They have put forth only one amendment, which I would really love to get into discussing and move on with this bill.

Mr Cousens: The minister refers to one bill being affected by this act. Can the minister, by regulation, add other particular parts of her ministry to be regulated by this act in any way?

Hon Ms Churley: No, not by regulation. Hopefully the member for Markham has read the bill. It will show that it has to go through cabinet.

Mr Cousens: All right then; it is by Lieutenant Governor in Council.

Mr Tilson: There is a difference.

Mr Cousens: All right. Will the minister have to come back to the Legislature and pass another bill in order to put any other acts under this bill?

Hon Ms Churley: It may in some statutes. Basically it will be passed by cabinet regulation. In most cases it will not have to come back here.

Mr Cousens: I asked an earlier question: What are the other bills that could then be impacted by such a regulation?

Hon Ms Churley: The ministry has, I think, anywhere from 52 to 58 bills. The honourable members all

know about the Bread Sales Act and the Upholstered and Stuffed Articles Act, do they not?

Mr Tilson: How about the Registry Act?

Hon Ms Churley: There is the Registry Act, yes.

Mrs Caplan: The stuffed shirt act.

Hon Ms Churley: The stuffed shirt act, that is right.

The Chair: Order, please. The member for Markham has the floor.

Mr Cousens: Bingo. We just had bingo. I got a straight line from this bill to other bills which allow this ministry to take the legislation we are giving here to the Registry Act and other acts. This minister—maybe the ministry—has not even considered all the implications. What I am concerned about is the security of data and information, security that protects the rights of all people in this province.

I am concerned that it is such an important matter that it has not been fully considered. All I have now found is that there is a direct line from Bill 126, the bill we are discussing here today, right through to some of the most personal data that people have in Ontario. That will now be available through sources. This minister has not even been able to explain whether they are going to have any kind of security around them, security that will protect the people of Ontario. It is on the record. We now know what has happened from this minister. Let's go ahead with the amendment.

Hon Ms Churley: Just for the record, I want to be very clear: There is no problem with this. Any of my acts could use this capability. Hopefully that will happen down the road, but there is a misunderstanding. Again, let's get back to the thesis of what this is all about. Any of these acts will be—I think it will be a good thing for Ontario—able to file electronically what they already file. It is really as simple as that, including, yes, land registry. It has nothing to do with Teranet, but possibly down the road, we hope, a lot—I think it is going to take years for some of the acts to get on stream, and some will never get on stream, but I think keeping up to date with technology is a very good move.

I have heard the honourable member say many times that he encourages this move, that it is important for this government to move ahead and keep up with technology. It makes us more efficient and that is exactly what we are doing here.

Mrs Caplan: Perhaps I could be helpful to the minister and advise her that it is not a good idea to tease the bears. As she has been making some of her comments, I think she may have inadvertently provoked a little response from the other side. Perhaps if I could ask a question that she could respond to simply, it might be helpful to my colleagues.

It is my understanding that in any piece of legislation which could be affected by the statute before us all of the information is going to be public information that is presently available and is protected under the Freedom of Information and Protection of Privacy Act. The ministry is obligated to comply with the protection of personal pri-

vacy. Therefore, this legislation or any other pieces that are affected by this statute before us today would protect personal privacy of information that is collected, as required under that legislation. Anything else is considered public information, which is available from the ministry on the payment of a fee. Is that correct? Yes or no.

Hon Ms Churley: I thank the member for the advice. We all tend to provoke each other from time to time. It gets kind of difficult not to in this House. I have already actually answered that question. Each different act sets out the protection of the information it collects. They all are covered by the Freedom of Information and Protection of Privacy Act, yes, each and every one of them.

1600

Mr Tilson: It is interesting that the member for Oriole has jumped into the debate, because of course it was her government that set up the whole system we are concerned with, and of course it was the present government that signed it.

The member for Oriole completely misunderstands what our party is trying to put forward. The question is, who is going to manage the system? We know who is going to manage the land registry system. It is going to be Teranet. Who is going to manage all the bills of the Ministry of Consumer and Commercial Relations, whether it is the Bread Sales Act, the Condominium Act, all of these other acts the minister is referring to. Who specifically is going to manage these acts?

Is the minister going to be out of a job? I say that with tongue in cheek of course, but it is a great concern, because I believe that if it is not Teranet, it is going to be a company like Teranet.

What guarantee can the minister give us that the Ministry of Consumer and Commercial Relations is going to manage all of this information it is going to accumulate under this legislation and that it is not going to delegate it to Teranet, which is going to make millions? I am quite sincere. I would like to know how and I am sure we would all like to know how to get shares in Teranet, because whoever has those shares is going to make millions because of the minister's actions.

Hon Ms Churley: My ministry, by statute, will continue to manage the system. That is the proof the member needs. By statute we have to do that. We will continue to manage the system. In fact, I have to point out that Teranet is part of government. Again, I remind the member that the whole land registry and fee structure in terms of Teranet is completely controlled by government and will be, to use one of the member's favourite terms, for ever.

Section 2 agreed to.

Section 3 agreed to.

Section 4:

Mr Cousens: The only question I have is, will this be Ministry of Government Services computers or will it be other computers that are leased and owned by other people?

Hon Ms Churley: It will be the Ministry of Government Services mainframe computers that will be used in this system.

Mr Cousens: No other computers will be used except government of Ontario computers?

Hon Ms Churley: No, not at this time.

Mr Cousens: Is the minister prepared to accept a friendly amendment that would say that in this bill, that would in some way allow us to have it in there when talking about these information systems, "and all computers will be exclusively Ontario government computers?"

Hon Ms Churley: I am not prepared to accept that amendment today. It has not been part of our legislation for 15 years. It is something I think we could consider, but I do not see any need for it at this time. I really do not. I would need to discuss it and, at this point, I see no need to include that in this particular bill.

Mr Cousens: We will stop hassling the minister. We will go away and let her deal with the bill if she will have that amendment in there. She would satisfy my concern that the data, when under the control of the Ontario civil service in whom I have a great deal of respect and trust, would be under a security system that would permit us to know there is no outside data centre dealing with the data. It is dealing with the data that pertains to the people of our province. Once the minister has that all in big files, she can bring out the information she wants. What a marvellous opportunity to do things that may not necessarily be in the best interests of the province or the people she is dealing with.

Hon Ms Churley: It will always be in the control of my ministry and this government, as I have already stated. I would like to thank the member for his thought and his concern about this, but I can assure him it will remain within this government's control.

Mr Cousens: I find it surprising that, on the one hand, the minister is willing to say, "There will be no outside computer centre involved in this ever." Then when I ask for a friendly amendment to change this act to ensure we are protected, she is not willing to do so. I find that extremely difficult to handle.

If this minister is not prepared to make the decision without checking with someone else, we could defer the whole discussion to another day, but I can assure members that I have great problems. On the one hand, the minister says, "Yes, it's going to be this way," and when I ask for it to be in the law of the land she is not prepared to do it. Either she does it, or if she is not going to do it, there is a chance someone else is going to have control of our information, or the minister needs more time to come back to the House at another day for us to look at it. I would be willing to go with the latter and not force the minister into making a snap decision.

Hon Ms Churley: As I stated before, by statute my ministry and this government has control. There is absolutely nothing to worry about. I want to reassure the member of that. I understand his concern, but there is no way what he is suggesting or what he fears might happen, could happen.

Section 4 agreed to.

Section 5 agreed to.

The Chair: Mr Tilson moves that the bill be amended by adding the following section:

"5.1 No database used for the storage of information in an electronic format shall be managed by any person or association other than the ministry."

Mr Tilson: During the hearings with respect to the resources I put forward a number of amendments and I really was not even given a chance to debate those amendments in the committee. This is the main issue our party is concerned with, and that is the loss of freedoms of individuals in Ontario as a result of actions taken by this ministry, as illustrated by delegating the managerial aspects of the land registry system to which Bill 126 certainly applies to a company called Teranet Inc. The government of course will not tell us the terms of that contract which is to go on for ever and from which it has been indicated it will never be released.

The minister said, "You can make your application under the freedom of information act," and we all know what is going to happen. This is a private company, and very cleverly by the ministry, the Freedom of Information and Protection of Privacy Act does not apply to those companies. We discovered in the standing committee on resources development that there is not one agreement, but a series of agreements. I suspect, for example, there is an agreement with the surveyors of this province which again—I know you are looking at me, Mr Chairman, as if to say this does not apply to Bill 126, but I say it does, because it applies to all statutes administered by the Ministry of Consumer and Commercial Relations.

Clearly, for example, it is my understanding that there is a contract with the surveyors of this province, which will not be produced because it is a private contract, which will result in all the lands of this province being fed into computers—the computers under Bill 126 perhaps—which will result in all surveys now produced by surveyors being made irrelevant because of the new system that is being proposed under Polaris. That will keep the surveying industry busy for the next eight years and will give it millions of dollars, all at the expense of the taxpayer.

It is bills like this, the consolidation of the whole system, that lead to our fears about all the information, whether it be the Personal Property Security Act, which is the emphasis that is being put forward by this minister, because that appears to be the only one to date, but it is going to apply to all bills. I do not know how many bills the Ministry of Consumer and Commercial Relations administers. We were told in committee that it was 50, and now I understand it is 58. Who knows? Certainly Bill 126 applies to all those bills.

1610

Our concern is the protection that will be given to individual privacy. This minister is not going to give us any. She simply says, "Trust me." She will not accept the friendly amendment. It is a very innocent amendment proposed by the member for Markham which has been rejected by the minister. Why can government computers not control this information? Why can it not be managed by

government computers? Why will it go out to other sources over which the government will have no control?

If the minister were to produce the contracts—and it has now become contracts; it is not one contract but a series of contracts—we would know more about it. We would like to know, for example, the deal that has been worked out with the surveyors. Maybe there is a deal with the lawyers they have been dealing with. They will not tell us because it is secret; it is private. They cannot tell us. It is going to be kept secret for ever. Teranet is big time, but I can assure members there are going to be a lot of other people who will benefit at the expense of the taxpayers of this province.

They did not even do a feasibility study on Teranet or Polaris. They do not even know whether the system is going to work. They have no idea whether it is going to work. There is no feasibility study I know of that was done with respect to Polaris. I was told in committee there was no feasibility study done with respect to the personal property security system under Bill 126. We do not know whether these are going to work. We do not know who is going to manage them, and that is the intent of this amendment. We do not know who the authorized users are going to be.

The problem is a complete and utter disregard for the protection of individual privacy in Ontario by the Ministry of Consumer and Commercial Relations. They have given us no assurance, none, other than the minister standing up and saying, "Trust me." That simply will not do for our party.

The bill is going to pass. The Liberals are going to support it. They set the whole deal up. Those people only signed the thing. I question whether they read it.

My concern, and one which this amendment seeks to address, is that this information is gathered by the government for legitimate statutory reasons. There is no question that we believe that. But it is not done as a commodity that is going to be sold for the benefit of the private sector—and that is what they cannot guarantee will not happen—at who knows what cost to the people of this province. The member for Oriole says six bucks. Fat chance. It is going to cost a lot more than six bucks, and they know it.

The whole issue they are talking about, which is under the personal property security system, the only people who are going to be able to operate it are the banks and the large law firms. They are the only ones who can afford the equipment. The government is not even providing the equipment. The little guy in the street is going to have to go to these people and pay their outrageous rates, which the government has no jurisdiction over, to use their equipment. The New Democrats, who are supposed to be the defenders of the little guy, are the defenders of the big banks, the defenders of the big law firms and the defenders of Teranet.

The protection of individual privacy is considered to be a primary duty of the government by the people who willingly offer up this information. People willingly do that. If it were not so, there would be a lot fewer people who would be willing to comply with the government statute in this regard.

The regard in which the people of Ontario hold the institution of government is directly related to how well that government serves them. The minister is not going to serve them. She is going to give it to somebody else, as she has done with the land registry system. If it is to be the role of government to sell off the individual privacy of its citizens, it is not unexpected that this regard, which the minister claims to hold so dearly, will be reduced to zero. The minister should think about it when she puts forward this bill.

I will not be quite as strong in my language as the reverend member for Markham, but I suggest the minister think of the implications that have been raised. We have indicated that we support in principle what she is trying to do. We are concerned that she is giving away the individual privacy and the secrets of the people of this province.

Hon Ms Churley: The member has now moved his amendment, which I will respond to. I already have another answer, because it keeps coming back to the same thing. The member for Oriole has given me some kind of advice and has told me I should try not to provoke. I will try not to do that, but I have to submit to the member that he does not understand the difference between Teranet and this bill. That is what continues to get in his way, and once he has become clear on that, I do not think it will be a problem for him.

I want to point out to the member that I found his amendment interesting. I did look at it, and I think if it were needed I would be very glad to support it. But it is not needed and I will remind him again of the reason. Bill 126 is enabling legislation that deals only with the filing of information, and that is where the member runs into problems. This is not a management situation; it is not the management of this information. There is nothing about the ownership, control, security or use of the information changes involved in this bill. There is nothing to do with Teranet involved in this bill. Every act under my jurisdiction already sets out who can do what with this information, so this amendment would add no new protection. It would basically be redundant. That protection is already there.

In closing, I would like to thank the members for their questions and kind, and at times not-so-kind, responses to my answers. I think it is important that members got involved and gave me some advice on this bill, but I point out again that there is no threat to the privacy of Ontarians in Bill 126. There is absolutely no threat. The kind of fearmongering that went on this afternoon to deal with this bill is histrionic nonsense at best. I am sorry to say that the bill put to members today has nothing to do with Polaris and nothing to do with the privacy of information. Let me say again: It is a simple matter of filing information.

The Chair: Are there any further questions or comments on the amendment?

Is it the pleasure of the committee that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 6:

Mr Cousens: What other acts could this bill be applied to?

Hon Ms Churley: I would like to rephrase the question. Potential, I think, is the issue here.

Mr Cousens: I am prepared to make it easy for the minister—

The Chair: Order, please. Would you take your seat, Minister, please.

I ask you again to present your question.

1620

Mr Cousens: To make it easier, if the minister would commit to give me a written list of all acts that are potentially covered by regulation changes made by the Lieutenant Governor, then under section 6, I would be satisfied to know all those under present legislation within the Ontario government that could be invoked through the Lieutenant Governor in Council. Then she would not have to read them into the record and we will save the time of the House.

Hon Ms Churley: I would be happy to give the member the information. I should tell him there are 58 acts. He wanted to know and I am going to tell him what they are. They all potentially could come into the system.

Amusement Devices Act; Assignments and Preferences Act; Athletics Control Act; Bailiffs Act; Boilers and Pressure Vessels Act; Boundaries Act; Bread Sales Act; Business Corporations Act; Business Practices Act; Cemeteries Act; Certification of Titles Act; Change of Name Act; Collection Agencies Act; Condominium Act; Consumer Protection Act.

Consumer Protection Bureau Act; Consumer Reporting Act; Corporation Securities Registration Act; Corporations Act; Corporations Information Act; Debt Collectors Act; Discriminatory Business Practices Act; Elevating Devices Act; Energy Act; Extra-Provincial Corporations Act.

Factors Act; Funeral Directors and Establishments Act; Gasoline Handling Act; Land Registration Reform Act; Land Titles Act; Limited Partnerships Act; Liquor Control Act; Liquor Licence Act; Marriage Act; Ministry of Consumer and Commercial Relations Act; Motor Vehicle Dealers Act; Motor Vehicle Repair Act; Ontario New Home Warranties Plan Act; Operating Engineers Act.

Paperback and Periodical Distributors Act; Partnerships Act; Partnerships Registration Act; Personal Property Security Act; Petroleum Products Price Freeze Act; Prearranged Funeral Services Act; Prepaid Services Act; Racing Commission Act; Real Estate and Business Brokers Act; Registry Act; Residential Complex Sales Representation Act.

Theatres Act; Travel Industry Act; Unclaimed Articles Act; Upholstered and Stuffed Articles Act; Vital Statistics Act, and the Wine Content Act.

Mr Cousens: Could the minister indicate to me, before it is done, whether there will be a cost-benefit analysis made on any act on which this is going to be done, and also what kind of cost-benefit analysis was done on the bill she is doing right now as it pertains to the existing act?

Hon Ms Churley: We actually did not do a feasibility study on this; we did on Teranet. I meant to correct that earlier. Obviously, we did. There is a saving to the consumer on this. We will not be doing a cost study on this, because there actually is a saving. It cuts out a step.

Mr Cousens: What is the extra cost of computers just to institute this one bill?

Hon Ms Churley: There is no cost whatsoever to us.

Section 6 agreed to.

Sections 7 to 9, inclusive, agreed to.

Bill ordered to be reported.

On motion by Ms Churley, the committee of the whole House reported one bill without amendment.

ELECTRONIC REGISTRATION ACT
(MINISTRY OF CONSUMER AND COMMERCIAL
RELATIONS STATUTES), 1991

LOI DE 1991
SUR L'ENREGISTREMENT ÉLECTRONIQUE
DANS LE CADRE DE LOIS RELEVANT
DU MINISTÈRE DE LA CONSOMMATION
ET DU COMMERCE

Ms Churley moved third reading of Bill 126, An Act authorizing the Filing of Information in an Electronic Format under Statutes administered by the Minister of Consumer and Commercial Relations / Projet de loi 126, Loi autorisant le dépôt de renseignements au moyen d'un support électronique dans le cadre des lois dont l'application est confiée au ministre de la Consommation et du Commerce.

Motion agreed to.

ARBITRATION ACT, 1991
LOI DE 1991 SUR L'ARBITRAGE

Mr Hampton moved third reading of Bill 42, An Act to revise the Arbitrations Act / Projet de loi 42, Loi portant révision de la Loi sur l'arbitrage.

Hon Mr Hampton: This afternoon I invite the House to approve third reading of the Arbitrations Act, 1991. The new act will benefit parties to disputes who are seeking alternative means of resolving them, as well as the arbitrators who look to the act to know just how far they can go in controlling the arbitration process.

The House will recall that this act is essentially the product of the Uniform Law Conference of Canada, although Ontario's drafters prepared the Uniform Arbitration Act for the conference. Alberta has passed the uniform act and I expect a couple of other provinces to pass it within the next year. In passing the act Ontario is, therefore, helping to establish a national standard for arbitration.

I appreciate the co-operation of the opposition parties in passing the statute and in assisting my parliamentary assistant in making some technical improvements to it earlier. I invite them now to join me in taking the final step, the passage of third reading of the bill.

Motion agreed to.

1630

COURTS OF JUSTICE AMENDMENT ACT
(PAYMENTS TO SUPERNUMERARY JUDGES), 1991
LOI DE 1991 MODIFIANT LA LOI
SUR LES TRIBUNAUX JUDICIAIRES
(RÉMUNÉRATION DES JUGES SURNUMÉRAIRES)

Mr Hampton moved third reading of Bill 146, An Act to amend the Courts of Justice Act, 1984 in respect of Payments to Supernumerary Judges / Projet de loi 146, Loi modifiant la Loi de 1984 sur les tribunaux judiciaires en ce qui concerne la rémunération des juges surnuméraires.

Hon Mr Hampton: I am pleased to move third reading of this bill, which eliminates an unnecessary expenditure in the administration of justice. The judges of our Court of Appeal and Ontario Court (General Division) are aware that the \$3,000 annual stipend from the province is anachronistic, as the services of judges for which it is paid are no longer performed. Judges do not sit on boards and commissions, as that would be incompatible with judicial independence and impartiality. *Persona designata* jurisdiction is gone. It was abolished by the House in 1984.

However, this bill accepts the principle that the government should not unilaterally remove the \$3,000 annual stipend from all judges while they are serving full-time. Therefore, it cuts the payment off only if the judge chooses to become a supernumerary judge, which means the judge will be working part-time and receiving a full salary from the federal government. In those circumstances, the bill eliminates the stipend from the province. Judges remain free to retire and go on pension or to continue on full-time status until their mandatory retirement at age 75, in which case they retain the \$3,000 payment from the province. As my parliamentary assistant said on second reading, we intend to proclaim this bill in force in January of the new year.

Motion agreed to.

JOHN GRAVES SIMCOE MEMORIAL
FOUNDATION REPEAL ACT, 1991
LOI DE 1991 ABROGEANT LA LOI INTITULÉE
JOHN GRAVES SIMCOE
MEMORIAL FOUNDATION ACT

Mrs Haslam moved third reading of Bill 73, An Act to repeal The John Graves Simcoe Memorial Foundation Act, 1965 / Projet de loi 73, Loi portant abrogation de la loi intitulée The John Graves Simcoe Memorial Foundation Act, 1965.

Hon Mrs Haslam: By repealing the act, the John Graves Simcoe Association will be free to amalgamate with the Ontario Historical Society. The result will be one large organization that will be able to conserve more effectively all aspects of Ontario's diverse heritage.

Mrs Marland: I am happy to stand in this House today as the spokesperson for Culture and Communications and support the bill of the current and former ministers. Essentially this bill is a housekeeping bill, but I think we all take pride in the recollections each of us has of the associations this bill brings to mind. I know that yesterday

we had a number of speakers who made those recollections back into the history of our province and the involvement of Lord Simcoe, so I will not take the time of the House today to repeat what has already been said. I simply say to the current minister that we are glad she has finally been able to get this bill into the House, and this is third reading; I am quite sure the minister herself can hardly believe it at this point also.

Hon Mrs Haslam: I just want to thank the member for Mississauga South. Members have no idea how happy my ministry will be that after three years we have finally been able to bring this to fruition.

Motion agreed to.

Mr Wessinger: I would appreciate the unanimous consent of the House to consider Bills 43 through 64 as one, that is, orders 3 through 24, for the purposes of debate and also with respect to subsequent voting on third reading.

Agreed to.

The Acting Speaker (Mr Farnan): Bills 43 to 64 inclusive, will be dealt with together.

REGULATED HEALTH PROFESSIONS ACT, 1991,
AND COMPANION LEGISLATION
LOI DE 1991 SUR LES PROFESSIONS
DE LA SANTÉ RÉGLEMENTÉES
ET LES PROJETS DE LOI QUI L'ACCOMPAGNENT

Mr Wessinger moved third reading of Bill 43, the Regulated Health Professions Act, 1991, and its companion legislation, Bills 44-64 / Projet de loi 43, Loi sur les professions de la santé réglementées et les projets de loi 44 à 64, qui l'accompagnent.

Mr Wessinger: It has taken many years, but I believe we have finally found consensus that this legislation is ready for passage. We are turning a corner down a better road in the managing of our health care system. The process the bills have undergone at the standing committee has been very useful. Presentations and debate that occurred there have enlightened and guided me and, I am confident, other members of the House and have effected key amendments to the legislation.

The public hearings that were held in Toronto, London, Ottawa, Thunder Bay and Sault Ste Marie gave the chance to members of the public, members of regulated professions and unregulated practitioners to speak directly to legislators about the bills. Their appeals were passionate. "Change this; do not change that," they said. We took suggestions for amendments. We examined them and we have made changes.

Some of the amendments made address sexual abuse, aboriginal concerns, the diagnosis control act, the harm clause. I believe the legislation we are set to pass today best serves the public interest and that this legislation is faithful to these principles: that the public must be protected from unqualified, incompetent and unfit health care providers to the greatest extent possible; that there must be mechanisms in place to encourage the provision of high quality care; that the public should have the freedom of choosing the health care provider it wants within a range of safe health care options, and that there should be the

scope for evolution in the roles played by the individual professions and the flexibility in how individual professionals can be utilized so that the health care system operates with maximum efficiency.

1640

I have just pointed out that one of the things this legislation will set out to do is to protect the public. One of the things the public needs protection from with respect to health care providers is sexual abuse. Next week the task force on sexual abuse of patients will present its final report and recommendations to the College of Physicians and Surgeons of Ontario.

I do not believe, however, that sexual abuse of patients by health professionals is an issue that only the practice of medicine need address. All health professionals must respond to this issue. I hope they will; we intend to. We in government do not intend to wait and see what health professions will initiate with respect to combating sexual abuse. With the amendments to this legislation, we are taking a first step towards achieving this government's commitment to zero tolerance, to eliminating sexual abuse from the health care setting.

The Regulated Health Professions Act now requires that each college have a patient relations program and a patient relations committee to advise the college council on the program in place within one year of proclamation. This program must contain measures for both preventing and dealing with sexual abuse. There must be educational requirements for members of the profession, guidelines for conduct with patients, staff training and public information.

Each college's patient relations program will be monitored by the Health Professions Regulatory Advisory Council. The council will report annually to the minister and its reports will be tabled in the Legislature.

An interministerial working group will soon be established to consult with all interested professional and public interest groups and legal experts on the recommendations of the College of Physicians and Surgeons of Ontario task force report on sexual abuse of patients. The working group will identify what further amendments to the legislation may be necessary, but to get things rolling now, I am requesting all of the governing bodies that exist under current legislation to develop immediately a sexual abuse plan.

The minister is requesting that the plans be submitted to her by February 29. These plans would be compatible with the Regulated Health Professions Act so that they can form a fundamental part of future patient relations programs.

I also wish to report that exceptional efforts of our aboriginal organizations and the Ministry of Health and Ontario native affairs secretariat executive staff resulted in amendments that create exemptions from Bill 43 for aboriginal healers and aboriginal midwives. The amendments are consistent with the government's Statement of Political Relationship.

The amendments came in response to concerns raised by several aboriginal organizations regarding the possible negative impact of the legislation on aboriginal healers and midwives. For various reasons, concerns about the potential impact of the bills on aboriginal peoples came to be

expressed only very late in the legislative process. The Midwifery Act was a catalyst, but the concerns related more generally to the impact on traditional healing. What the exemptions do is allow our aboriginal healers and aboriginal midwives to continue to offer traditional healing and midwifery services to aboriginal persons and members of aboriginal communities.

I am looking forward to the work that will continue to be done with aboriginal organizations in the development of an aboriginal health policy. It is my hope that this work will contribute to encouraging the revitalization of traditional aboriginal health care.

As the committee process got under way, most of the public controversy surrounding Bill 43 related to the diagnosis/controlled act and the so-called harm clause. The controversy was fuelled by an understandable anxiety about the new regulatory model that restricts who may perform potentially hazardous activities rather than creating broad fields of exclusive practice, as is the case in the current model.

There were also differing opinions about the role of government in regulating who may provide health services, and there were varying levels of comfort with the ability of individuals to make wise choices in health care. We believe the amendments accommodate the differing views.

A harm clause has been added that prohibits unregulated practitioners from treating or advising on health in circumstances in which it is reasonably foreseeable that serious physical harm may result. The harm clause does not apply to counselling about social, emotional, spiritual or educational matters. We believe the harm clause provides an added measure of public protection and that it in no way will impede or restrict responsible practitioners.

The health professions acts were also amended to increase public representation on councils to just under half. This will give the public a louder and clearer voice than it has ever had in how the health care system operates. I am pleased to report that the majority of professions are satisfied with the revised composition for their councils.

Among the new choices being offered consumers with this legislation is a choice on how childbirth is conducted. Those who want to be cared for by midwives during pregnancy, labour and delivery will have that option. The inclusion of midwives in this legislative package represents a change in a policy direction set by the Ontario Legislature a little more than a century ago.

It was in 1865 that midwives lost the exemption from the Medicine Act that had made it possible for them to practise midwifery without a licence to practise medicine. The Midwifery Act included in this legislative package gives legal recognition to midwives.

I am delighted to report historical developments within the psychology profession that will bring practitioners with MA degrees under the regulatory umbrella. This will provide the public with the benefits of regulation that currently exist only for psychologists prepared at the PhD level. MAs will use the title of "psychology associate."

I acknowledge that not every issue was resolved to the full satisfaction of all those concerned, but the legislation

contains the mechanism for continued evolution, the Health Professions Regulatory Advisory Council.

Finally, I would like to express my gratitude to all those who have worked on the legislation for many years: the professional associations, the governing bodies, the public interest groups, the individual members of the public, members of the Legislature present and past, and Ministry of Health staff who have given of their time and taken the lead in driving this legislation.

I would also like to thank the members of the standing committee for the hard work they put in. I particularly appreciate the non-partisan approach taken by all members of the committee. They were presented with a huge task in just catching up on so many years of debate.

I would like to thank the Chair of the committee, because I think her assistance steered us through very difficult times. Her guiding hand and knowledge of the legislation played greatly in the committee's difficult task of putting the finishing touches to this very complex legislative package.

Mr Conway: I also want to thank my friend the member for York North for allowing me to participate very briefly this afternoon. It was not my intention—in fact, I am to be at another place—but I just happened to open the afternoon mail and there was what I would describe as a blistering letter from the chairman, professional affairs, section of ophthalmology, a certain B. J. MacInnis, MD, from Carling Avenue in Ottawa.

I find it interesting that I should get this letter, because I remember when I attended the hearings of the standing committee on social development—and I must say I have not had the pleasure of being there over the course of the months and years of debate. I am not ordinarily a member of that committee, but I do agree with the previous speaker. On the basis of my very limited experience with the committee in this endeavour, I thought a lot of very good work was done. It certainly is not easy.

I can well remember that when I was an undergraduate in university, one of my very good friends was the son of the then Minister of Health, Dick Potter. What Dick Potter endured 20 years ago in the last round of health disciplines legislation was almost unbearable, and what the Legislature went through in the period of 1972-73 was—I see one member in the lower gallery who will well remember some of those border clashes, the fury of which had to be seen to be believed.

I must say to all members associated with this endeavour that I think they are to be congratulated for the very smooth fashion in which this multi-year project has been completed.

I was there, quite frankly, because I had been approached by a number of optometrists in my community in rural eastern Ontario about this subject. I see some people under the gallery who—I do not want to put anybody on the spot, but I well remember when I was in the midst of my observations, I overheard someone saying, "Conway's going to hear from the ophthalmologists," and Conway has. Boy, it is quite the letter. It really is quite the letter.

I can tell members I have responded, because I am going to want to see my friends from the ophthalmology

section of the Ontario Medical Association. When I get a letter like this, I am going to tell you, Mr Speaker, I am really anxious to engage in the debate. I have not had a lecture like this on parliamentary procedure, to say nothing of health disciplines, in a long time.

My point in this connection today is, as it was a few weeks ago, that in rural Ontario we have very few ophthalmologists. I represent a large rural county. In my constituency I think we have one ophthalmologist, a very fine, good fellow. His wife narrowly missed being elected to Beachburg village council last week. They are very good people.

The fact of the matter is that in places like Killaloe, Barry's Bay, Eganville, Cobden and Beachburg, it is the optometrist who provides the bulk of the eye care, and specialists, whether they are in this area or in so many others, are generally found in Ottawa, Kingston or Peterborough in my part of rural central Ontario.

1650

The point I want to make today is the one I made just a few weeks ago in the committee. It is simply that a good number of people, many of them older people living in my constituency, have come to see me and have expressed a real concern about what they interpret as a restriction on the traditional scope of practice that has been allowed to optometrists is going to mean to people in my area. It is going to mean, they believe, that they may not now be able to drive from Madawaska into Barry's Bay, which is 15 miles, to see the optometrist, but rather they are going to have to drive those 15 miles to be told: "No, we can't deal with this. You're going to have to keep going for another 120 miles to Ottawa."

Mr Owens: That's not true.

Mr Conway: My friend opposite says it is not true. It may not be true. I defer to his not inconsiderable wisdom and judgement in this matter. He sat through all of this. I did not. Surely my job as a responsible and representative member of those people I speak for in my constituency is to convey their concern. I think their concern is legitimate. It may not be borne out—it would not be the first time—but they very much believe this. In the committee I simply wanted, as I do here today, to express that concern.

The optometrists clearly have an interest. I gather their participation with our friends underneath the gallery, with my friend the parliamentary assistant and, I dare say, with the now Chair of the standing committee on social development, the former Minister of Health, has been a lively and spirited one over several years. I will not even tell members what I hear about their relationship with the sainted Alan Schwartz, someone I know perhaps better than most people in this Legislature and someone for whom I have a very high regard.

I know all about vested interest. I know all about the turf wars of health disciplines legislation. I am simply saying that a number of people I represent and certainly a number of very good, reputable optometrists genuinely believe that this legislation does not provide what it suggests in terms of care and scope of practice.

The member for Scarborough Centre shakes his head very negatively. He may be right. But when I hear good people telling me what they have been telling me on this subject, I have an obligation, it seems to me, to report that. I am going to read the letter. I cannot resist.

Mr O'Connor: You can't filibuster without it.

Mr Conway: I am not filibustering at all. I am going to read the letter and conclude my comments, quite frankly. This is from our friends of the ophthalmology section at the Ontario Medical Association:

"Dear Mr Conway:

"It is unconscionable that as a politician you would display uninformed, biased and harmful behaviour such as the rhetoric you spouted before the committee on social development about optometry." The members should smile. I do not think they should be at all unwilling to smile. They might even want to laugh or cheer.

"You did not even have the decency to seek counsel of those that have been involved in this process for nine years.

"Your ability to parachute into the committee as a member is a deplorable abuse of process." How about that? I have misbehaved on more than a few occasions. I want to say to my friend Dr MacInnis that I really appreciate the lecture. He says:

"Enclosed is a case history of a constituent of yours treated by myself for a misdiagnosis and delay by a local optometrist."

Gee whiz. If I canvassed the annals of the royal college, I wonder if I would find any cases involving malpractice by an ophthalmologist. I am sure there are none. I see faces grimace in the government gallery underneath the press gallery.

"This is the harm that we speak of. Just imagine what harm they can do now that you propose they can use lasers."

I do not remember specifically proposing that they use lasers, although in the Byzantine world of health disciplines it is like certain kinds of theological debates. You have to be long-schooled in the intricacies of these matters before you can even enter the room, much less open your mouth.

I say in conclusion that I cannot wait. I hope Paul Rhodes and those people at the Ontario Medical Association—I am insulted. I am embarrassed that they did not seek me out to explain their side of the story. I apologize profusely that without their consent I would have opened my mouth to convey the concerns of those older people who came to see me to say they were worried. I apologize to those poor, overworked, underpaid ophthalmologists that I had such effrontery.

I want to say quite seriously that I am quite anxious. I cannot wait for the meeting that I intend to organize and arrange between the ophthalmology section of the OMA and yours truly to pursue this further.

Just so there is no confusion, I do not for one moment withdraw anything I said and I apologize for even less. If there is anybody around this place who had anything to do with this little bit of enthusiasm—I am sure no one did—I hope they have the guts to come out from the bulrushes.

I repeat, rural residents in Renfrew county use optometrists as their front-line eye care providers. Many of those people and many of those very good optometrists believe this legislation is going to restrict their scope of practice in a way that is not going to be helpful.

I say to the parliamentary assistant that I was there when much of this was going on. There were a variety of amendments and I appreciate the work that was done to try to sort out this ongoing negotiation at the 11th hour. But what I heard I heard, and I repeat it now. I will look very carefully over the coming weeks, months and years to see just what develops.

My good friend the very hardworking member of the committee representing the government, the member for Scarborough Centre, may in fact be right, but no ophthalmologist is going to scare me off from conveying to this Legislature or any of its committees what I have heard from people I know to be good, credible and concerned. I appreciate the opportunity this afternoon to make that point on third reading.

1700

Mr J. Wilson: I am pleased to join today in what should be termed a historic debate. The Regulated Health Professions Act and the process of developing those acts and getting them through committee started with our government some nine or 10 years ago. It has been a very long process.

As a new member and as the recently appointed Health critic for the Ontario Progressive Conservative Party, I was very pleased to have the opportunity to work with the government and members of the opposition in trying to fine-tune these acts that have been worked over for the past nine years in terms of trying to come to a consensus on many of these acts that the people of Ontario can live with, that the professions can live with and that would best serve the public interest and protect the public from harm, from unscrupulous practitioners. We have all read stories in the newspapers and seen stories on TV where some unscrupulous quacks out there were practising various forms of medicine and health care. The intent of this act, of course, is to protect the public good, to protect the public from harm, and I think we have done that.

Although in my remarks this afternoon I do not intend to filibuster, Mr Speaker, you will be relieved to know, I intend to spend just a few minutes raising some concerns that I think are still out there.

The member for Renfrew North just did an excellent job, as he did in committee, I must say, of supporting our contention. He and his colleagues in the Liberal Party who spoke at the committee made it very clear that we did feel that in the area of optometry the government really did not do a good job on that particular piece of legislation. I commend the member for once again bringing those concerns forward and I will talk a little bit about them also this afternoon.

I guess it is a good way to spend the summer is what I should say. It is fun being on the road with some seven NDP members, and myself very often representing the Ontario PC Party, and two or three Liberal members. It is

quite an experience to spend some four weeks in committee with them during the summer. I came to appreciate their point of view on a number of issues, mainly because I was outgunned and outnumbered on most occasions, but I enjoyed going through the clause-by-clause and the committee hearings with them.

I guess we heard from and received submissions from some 400 groups and individuals, and it was a very time-consuming but well worth while exercise. I, along with some of my colleagues in my caucus, introduced some 50 amendments during the clause-by-clause process. I think that might give the public some idea of the scope of these 24 acts and the complexity of the acts.

I would like to begin by commending and congratulating the Chair, the former Health minister for the Liberals, who really did a very good job of putting us back on course when we decided to get off course. She is the fastest reader I have ever met in terms of flipping through parts of bills we had consensus on, and she certainly allowed for a great deal of time on those parts of the bills where we had concerns to express and amendments to introduce. I commend the member for that.

We will start with Bill 43. I am not going to comment on all the bills but just briefly on some of them. On the omnibus bill, Bill 43, I think there is still some concern out there about the diagnosis clause. I note that the parliamentary assistant briefly touched upon that. Subsection 26(2) of Bill 43, the Regulated Health Professions Act, makes it a criminal offence for anyone except a medical doctor and a psychologist and a few other regulated professionals to communicate a diagnosis identifying a disease or a disorder to their patients or clients.

We share the concern about a number of unregulated health care professionals—religious pastors, health care counsellors, mental health counsellors—who have in the past provided, and hopefully will be able to continue to provide, much-needed services to people who come into their offices or meet them on the street or very often meet them in very informal settings to seek their advice.

The intent of the legislation, the government kept reminding us and kept assuring us, was to make sure that those legitimate unregulated professionals could continue to do what they have been doing so well. Very often they are volunteers, as I said, or they are religious or pastors, but there is still a concern out in that community that in the way the act is worded, a disgruntled client may still be able to get back at them for some advice they may have passed along to that client or patient.

I would really hate to be the first unregulated practitioner who gets hauled through court. I think it could be a very expensive process and a very difficult process, because although the act does contain a harm clause, and we did support that in the long run, the intent of that is to ensure that, as we say, the quacks who have been out practising are shut down and the public is protected from any physical harm.

Although it contains a harm clause in one section, there is the diagnosis section. We introduced an amendment, I and my colleagues, which we did not get any support for, but the unregulated practitioners wanted to ensure that

when we were talking about diagnosis in section 26 of Bill 43 we were talking about a medical diagnosis. We brought forward an amendment that inserted the word “medical” in front of the word “diagnosis,” and the intent was to ensure that anyone reading the piece of legislation, anyone picking up the legislation up for the first time, would know that the intent of the legislation was to limit those people who could convey a medical diagnosis. It was to limit that conveyance to very few groups—as I say, psychologists and of course physicians, MDs, and a few other groups—that would receive the ability to communicate a diagnosis identifying a disease or disorder.

There is that concern still out there. What I am saying now to the unregulated professionals and to other health care professionals who very often came to our committee—I had every reason to believe they had been communicating medical diagnoses to their patients, and many of them will be prevented from doing so when the act comes into law—is that if they run into problems in the future—we did our best with the government in trying to convince the government that there is still some more work that could have been done and perhaps it should have adopted our amendment—there is an advisory council or advisory committee that is set up under this bill.

The minister is not sure she will take these matters very seriously in the future. I take the minister at her word as I do the parliamentary assistant. If people do run into problems in their professions and threats of lawsuits, I hope that when the advisory committee is up and running it will be able to deal very quickly with those complaints from people, with complaints from professionals and unregulated health care practitioners to ensure that people who may be innocent, people who were well intended practitioners, do not get dragged through court and have their good names blemished because of disgruntled clients.

The Minister of Health continues to tell us that the courts will be fair to unregulated practitioners. We saw in the background information provided to members by the government and by bureaucrats that really the government is of the strong opinion that the courts will take into consideration how our whole health care system operates and that they will be fair to unregulated practitioners.

I found it a little strange that a minister of the crown would really come out and say she expects the courts will be fair to unregulated practitioners. She was not dealing with a specific case and it was perhaps kind of outside her jurisdiction to comment on how the courts will treat this in the future, because there are certainly a lot of people who have come forward and they are still worried that they may get dragged through court.

Of course, on this same clause, the ability to communicate a diagnosis, we introduced several amendments to the various bills. We thought that audiologists and speech-language pathologists and chiropodists and occupational therapists and physiotherapists, for instance, should be allowed to communicate a diagnosis to their clients within their scope of practice.

For the public out there, as the parliamentary assistant briefly touched upon, what we are dealing with in these acts is a new model of health care. The good part is that

clearly defines, for the most part, what each profession can do and, by lack of reference, what it cannot do. That will be very helpful, I think, to a number of professions.

We felt that speech-language pathologists and audiologists and chiropractors are experts in their particular fields of health care, as it were. It still burns us a bit to think that a speech-language pathologist or an audiologist, who is highly trained in communication disorders, may not be able to communicate his final conclusions directly to his patients but may have to refer that patient to a general practitioner, for instance. The speech-language pathologist, for example, would have to phone or write a note to the GP or another person in the health care field who is able, under law, to communicate a diagnosis.

1710

We feel it is a little unfair that a middleman or middle person would be introduced. The government disagrees with us and will continue to disagree with us. I expect the parliamentary assistant will say something when he gets his two-minute rebuttal. We felt these professions should have the diagnostic controlled act. The government continues to be of the opinion that no, those people really do not do diagnosis; they simply do assessments and they can communicate the results of those assessments. We continue to disagree with that. We hope that if there are problems in the future, the advisory committee will look at those quickly and seriously and ensure that people's good reputations and practices are not ruined.

I want to talk for a minute about an issue that came to our attention at the committee. I guess all members of the legislature were probably approached by nurses, speech-language pathologists and a number of pharmacists, health care professionals who had attained the accreditation of PhD at a recognized post-secondary university. There is still concern out there. Although I read just this morning in a health care bulletin put out by the minister's office that there is some vague promise that this matter will be dealt with through regulations after the act is passed—I will get back to that in a minute—the concern is that people with PhDs are not and will not be allowed to use the term “doctor” in a medical setting.

It seems to me, and it was the opinion of my colleagues, that when undergraduate degrees—really, a dentist, chiropractor or optometrist has an undergraduate degree in the hierarchy of academia. When those professions are allowed to use the term “doctor”, why are people who have attained the highest degree possible in academia, a PhD, not allowed to use the term “doctor” in reference to themselves and their colleagues in a health care setting?

On behalf of my colleagues in caucus, I introduced an amendment that would have allowed health care professionals who had attained a PhD to use the term “doctor” in a health care setting. I still believe it is not within the purview of the government to tell PhDs they are no longer doctors. They receive a doctorate in whatever profession their degree is in. We strongly believe that if other groups that have essentially undergraduate degrees are able to use the term “doctor” and all that means in society—the term “doctor” connotes to a number of people someone who is clearly a professional in his field, someone they can trust;

and the intent of this legislation is to ensure that you can trust doctors in whatever practice they are in—PhDs should be allowed to use the term. It really was not the right of the Ministry of Health, the bureaucrats there and the Minister of Health, to take that designation away from academia.

That issue is still out there. There is always hope in the future. When my party comes to government—in about four years, I expect—it is an issue we may be able to correct very quickly, as are a number of the other points. I have a very good memory and I intend to keep the notes I made up late last night. When we get to power, we are going to redress some of the wrongs contained in this bill.

I should say, because I have been negative for about five minutes, that we are going to support the legislation. We are realists in my party, unlike the members across the floor. I introduced some 50 amendments on behalf of my colleagues, some of which were accepted, most of which were not. We thought they were pretty commonsense amendments that were very helpful. We will support the legislation because, overall, we are pleased with it. Overall, we think it is the proper type of regulatory framework that the professions needed and that it does, in the final analysis, give adequate protection to the public.

No piece of legislation is perfect. I agree with the parliamentary assistant, who said that in committee many times. The minister has said that. It is true that no piece of legislation is perfect. This one could have been a little more correct, though, had some of our amendments been accepted. None the less, we will support it. It has been a long time coming, as I said at the beginning of my remarks. We are realists in the sense that we know those guys are going to be in office for another three or four years. To not support it and to try to delay the legislation over that period of time I do not think serves the public interest. So we certainly will support it.

I want to talk for a minute also about the ministerial powers contained in the act. A number of the older, established professions like the College of Physicians and Surgeons and the Ontario Dental Association brought to our attention some concerns about the overwhelming powers contained in this act, new powers the minister acquires. Again, I introduced amendments to Bill 43 designed to restrict the ministerial powers contained in the government's proposal. We believe the ministerial powers granted under the legislation have the potential to erode the principle of self-government or self-regulation by the various colleges or professions.

As it now stands, the government has the power “to require a council”—this refers to a council of one of the professional colleges that are supposed to have self-regulatory power over each profession—“to do anything that, in the opinion of the minister, is necessary or advisable to carry out the intent of this act, the health profession acts or the Drug and Pharmacies Regulation Act.” These are pretty sweeping powers. The minister can actually direct councils—there are safeguards in the act, but they are very limited—to do essentially anything.

I always had a problem, and still do, with the concept of self-regulation, which we support, but at the same time

this little clause written into the act gives the minister essentially sweeping powers, so that if a particular profession is not doing exactly what the government of the day wants that profession to be doing, within a time frame, the minister can sweep in and do what he or she likes.

It seems to me that you either believe in self-regulation, which I guess socialists have a hard time with, and trust the professions to be self-regulating and to look after their affairs in the public good or you do not. This act says: "We don't really trust you in the long run. We'll give you a chance with some time periods of 60 or 90 days"—whatever it is in the acts; I forget at the moment—"to do things that we think you should be doing. But if you don't do them, in the long run we're going to do them anyway."

It is a very strange concept. It is not precedent-setting; there is tons of legislation around this place and in Ontario that gives the government the final kick at the can. But in terms of the new scopes of practice and the controlled acts that are being set up, the new system will not work unless the government really does have a great deal of confidence in the principle of self-regulation. The day a minister starts fooling around with the activities of these supposedly self-regulating colleges is the day I think the system will start to fall apart, where professions will say, "You really don't trust us to look after our own affairs." Goodness help us if the colleges give up. We will be in real trouble.

We believe the ministerial powers are excessive. We introduced an amendment to strike out this clause totally. Of course that amendment did not fly. We were disappointed the government did not support that particular amendment.

Sexual abuse: The parliamentary assistant, in his remarks, spent a fair bit of time discussing the whole issue of sexual abuse. What the government ended up doing was really in response to pressure from my party. My party, through my colleague the member for Parry Sound, has made it absolutely clear that I and my caucus colleagues are committed to the principle of zero tolerance in terms of sexual abuse of their patients by health care professionals.

My colleague has introduced a private member's bill. Long before we got into the discussions on the regulated health acts, he had introduced a private member's bill to really bring forward and advance the cause of zero tolerance. We are firmly on the record and committed and I expect the member will continue with his private member's bill.

1720

With that pressure, and with the pressure from Marilou McPhedran and the preliminary report from the Task Force on Sexual Abuse of Patients that was set up by the College of Physicians and Surgeons of Ontario, and with pressure from me and my caucus colleagues and from a number of groups, the government finally decided to do something about sexual abuse, which it had not given any thought to prior to the introduction of the draft legislation.

We ended up with the government voting as a block, as the NDP always does in committee. It is a pretty interesting exercise if the members of the public ever get to watch the NDP in committee, because when they are not quite sure how to vote they call a 10-minute recess. They run

down the hall. They find out how they are supposed to vote and then they come back in and all six or seven of them vote as a block. It does not matter what the witness said to them in committee. It is irrelevant. They have already made up their minds. The bureaucrats have helped cook up the idea in the back rooms. The Premier's office has a heavy hand, we know, at all committees.

In the area of sexual abuse, we had introduced an amendment that would have really looked after victims of sexual abuse, because there was a great deal of evidence presented to the College of Physicians and Surgeons of Ontario task force that some health care professionals, and in particular medical doctors, in very rare cases perhaps profited from sexually abusing their patients. There was one case brought to our attention where the patient had complained that she had been sexually abused by her doctor over a 25-year period. Of course every time that doctor saw that patient he billed OHIP. He got money for seeing that patient and sexually abusing that patient, as it turned out.

Our amendment would have said that doctors and all other health care professionals should in no way ever profit from sexually abusing their patients, and if convicted of sexual abuse be required to pay into a fund which we called a survivors compensation fund, any money they would have received during the period they were sexually abusing the patient. This is upon conviction. It is consistent with what my colleague the member for Parry Sound has brought forward in his private member's bill.

What we ended up with, with the government, was a patient relations program and a patient relations committee. The good news is that the government does recognize there is a need there for prevention. But our problem continues to be with the program as now set up under this legislation by the government, which by the way is very vague. It is all going to be done in regulations, but the government members tell us the intent is prevention and maybe they will do something to help victims.

Our party said there was a real problem out there. We are committed to zero tolerance, and in order to have real teeth you must have a compensation fund to deal with and compensate victims of sexual abuse. We know through experience now that this issue has come to the forefront in our society. Victims of sexual abuse do not want to go back to the medical profession to get counselling because they are very often, obviously, suspicious of doctors—they have had a bad experience—or back to another health care professional who may be covered under OHIP.

They have been going to other people, other professions that are not currently in our OHIP scheme of things. They have been paying out of pocket. The compensation fund would have given these people some redress, some money to pay the bills that we know they are incurring because they are seeking counselling from other professions that are not covered under OHIP and hence they are paying out of pocket.

Bill 46 was the Chiropractic Act. I know my colleague the member for Mississauga South will want to say a little bit and perhaps recognize our distinguished guests who are here today from the Ontario Chiropractic Association, so

will not get into it except to say that I think the chiropractors are generally pleased with the way their particular piece of legislation turned out.

I know there is still some concern out there about some new powers that were given to massage therapists. We introduced amendments to ensure that chiropractors could continue to do what they have already been doing all the way along. In no way would we hinder their current practice. Their current scope of practice, as defined in the legislation, would ensure that they can continue the great work they do.

We had a lot of patients of chiropractors appear before our committee telling us of the very great things their chiropractors had done for them, and my colleague the member for Burlington South, as members will remember in some of the humorous points in the committee, very often had different appendages that had been looked after by chiropractors and always made a point of telling us what a great job his chiropractors had done. My party has, I think, always supported chiropractors. We think they are an essential part of the health care team in Ontario, and as I say, my colleague the member for Mississauga South will perhaps say a few more words about that.

Second, my colleague the member for Mississauga South will also, I think, touch upon some of the concerns in the dentistry profession. There were four bills dealing with teeth, as it were: Bill 47, the Dental Hygiene Act; Bill 48, the Dental Technology Act; Bill 49, the Dentistry Act, and Bill 50, the Denturism Act. All I will do is remind the public and remind dentists and remind people that we are very concerned about the end product that we now have before us in terms of legislation, and that on behalf of my colleagues and with the backing and consensus of my colleagues, I introduced an amendment in the committee that would have prevented denturists from performing partial dentures.

As the act now stands before us today, the government has given the okay to denturists who, prior to this legislation, could only fit full dentures. If there was a tooth still left in either upper or lower jaw, the patient, prior to this legislation, was always required to see a dentist to have bridgework or partial dentures done. We believe the dentists proved sufficient harm could result if an other than fully qualified practitioner fitted partial dentures.

The denturists, I imagine, are not too happy with us and these remarks, but they do not have the medical knowledge and training that a dentist receives as part of his schooling to do a complete diagnosis of the mouth. What we are still concerned about and afraid of is that, say in my community of Collingwood where I have some denturists, after this new legislation is in place, if people begin to go to their denturist for primary dental care, we do not feel that the denturist is fully qualified to really give primary dental care.

We believe people, as was the practice up until the passing of this legislation, should go to their dentist to have a complete oral examination. We had evidence, for instance, of the necessity of having a complete oral examination. We had a slide shown to us one day by a dentist who specialized in the early detection of AIDS. He showed

a slide of a patient who was not aware that he had AIDS until he went to his dentist. The dentist was able to recognize a very small scarring in the oral cavity and recommended that this person see a specialist.

The worry would be that if I go in off the street to my denturist, perhaps I am not receiving the complete oral examination. Things like the early detection of AIDS—we are finding it is very common that dentists are the ones finding this and referring people to specialists and to testing. Denturists may miss that because they are not as fully qualified as dentists.

None the less, the government sided with denturists on this one, as did the review committee that did the study leading up to the formation of the draft legislation, and I guess we begged to continue to disagree with the government on this one. But my colleague the member for Mississauga South, if there is anything more to be said, will elaborate on that, because she has personal experience with the dental profession. In other words, she is married to a dentist and a very good one at that.

1730

In regard to the Medicine Act, Bill 55, the area that still concerns us was brought to my attention again a couple of nights ago in a meeting with some members of the OMA. It was an informal setting, a cocktail party. Some members of the College of Physicians and Surgeons were still very disappointed that the Medicine Act reduced the number of faculty representatives from five to three.

There are five major medical schools in Ontario and, prior to this legislation, each one of those medical schools had one representative on the College of Physicians and Surgeons council. After some jiggering with numbers, the government arbitrarily decided that three representatives were enough to represent the institutes of higher education in this province.

There is a fight going on now between the medical schools as to who will sit on the college council. It is important when we talk about educating the public, and it is so very important now with the new health care models the province is moving towards, that people be fully educated about health care and preventive medicine. I could not see and still do not see the reason for taking two of those educators who help develop the College of Physicians and Surgeons programs for educating the public off the composition of the college.

I think it is detrimental to the profession and I never did really understand the rationale behind it, nor did I get a complete response from the minister or the parliamentary assistant with regard to that issue. It seemed to me the number three was thought up and they would go to three rather than the current five.

We share the disappointment of the medical community that the NDP again in this case voted against the Conservative amendment, which would have maintained the five members representing the medical schools on the college council.

In the Nursing Act, Bill 57, we recommended that the phrase "promotion of health" be included in the nurses' scope of practice in accordance with the profession's intervention strategy. Nurses do more than provide the bedside

care they are so well liked for in hospital settings. There are of course a number of public health nurses whose major role is to educate the public.

We were pleased that the amendment inserting "promotion of health" as part of their scope of practice carried. None the less, we have some other concerns with the Nursing Act that we were not able to convince the government to change its mind on.

The first concern was that nurses now under the new legislation will have to take orders from midwives and chiropodists, foot doctors. The government sold this legislation all the way along as a new movement in providing health care services that would no longer make just medical doctors, College of Physicians and Surgeons members, the *prima donnas* in the health care system.

The idea of this legislation was to recognize that the public wanted and is using alternative forms of medicine and clearly is voting with its feet and using chiropractors—a bad example, because they are now well received—but a number of other health care professionals in terms of seeking the remedies they require.

We felt that with nurses now having to take orders from midwives and chiropodists, adding two more to the list of people that nurses have to take orders from, which included dentists and MDs, the government, contrary to its own public pronouncements, was reinforcing the old hierarchy in health care that we have been trying to get rid of.

I leave that point there but I still do not understand. I asked the minister on October 28 in this Legislature during question period why she would not change this part of the legislation which nurses find to be very demeaning. They now have to take orders from another couple of health care professionals.

The other thing we very much want referred to the advisory council that did not get solved at committee was the whole issue of the fact that registered nursing assistants really should have their own separate college. All other provinces recognize the need for registered nursing assistants and recognize that they should be a self-regulating profession. Currently, and under this act, they continue to be under the control, as they tell us, of the college of registered nurses and would like their own college.

I am pleased that the government made some strong statements that this matter would be referred at the earliest possible convenience to the advisory council. I hope that is done because the Ontario Association of Registered Nursing Assistants surveyed its membership, and twice over the past eight years has conducted a similar survey. Of those who responded, 19% were in favour of establishing their own college and allowing them to get on with what they do so well from under the umbrella of registered nurses and the registered nurses college.

We remain concerned under Bill 59 that dispensing is not defined in the Opticianry Act. We proposed an amendment defining "dispensing" that appropriately identified and controlled the limited risk involved in the dispensing of eyeglasses and eyewear. Our amendment also recognized the role of the optician in this process. We believe that without a definition of dispensing in the act, there is no certainty as to what the government intends to be con-

trolled, and therefore to be limited to the profession of opticians, and what is permitted by their unregulated assistants.

We were extremely disappointed that there is no definition of dispensing in the legislation and again I ask the minister—perhaps the parliamentary assistant could respond to this, but I would ask the minister through the parliamentary assistant—to also refer this matter to the advisory committee when it is up and running, because there is a great deal of confusion. I ran into it again this morning with some phone calls on what dispensing means exactly and who can do what in terms of the practice of opticianry.

Bill 60 is the Optometry Act. Mr Speaker, you brought to my attention, as the Health critic for the party, a number of concerns of optometrists in your own riding of S-D-G & East Grenville. I brought those concerns to the committee in a very forceful way and through the amendment process tried to get some of these things changed so that optometrists would be more comfortable with their scope of practice.

I want to read what the outcome is because I know I am taking up people's time. A fax just this morning to my colleague the member for Waterloo North, who of course represents that area of the province where the school of optometry at the University of Waterloo is located, states:

"The school of optometry, University of Waterloo, is unclear as to the nature of the upcoming process to determine prescribed disease and we would hope that this process is carried out such that"—and here is the crux—"graduates wishing to remain in Ontario will have scope of practice enabling them to provide at least the same level of care as that generally found in other provinces; and, secondly, that by giving responsibility to the College of Optometrists to make this determination, professional self-government will continue to assure a proper level of public protection."

They write on the bottom that "the profession of optometry requires assurance from the minister that the process for defining regulations will ensure that optometry continues to hold equality as a self-governing health profession."

This is pretty strong language, and there is quite a concern there. Of course, we introduced an amendment that would have seen diseases that optometrists could properly diagnose and communicate and those diseases would be prescribed in the regulations.

In committee we had a lengthy debate on whether our amendment meant anything different from the government's amendment, and the government's amendment was missing a couple of words at the end. It said "diseases as prescribed" and ours said "diseases as prescribed in the regulations." Those three words, "in the regulations," caused quite a bit of commotion.

1740

As I was saying earlier when I began my remarks when we talked about the amendment, we brought forward the term "medical diagnosis" to help clarify any confusion. I would say it is important—and the government should listen to this—when we bring in legislation that regulates people are able to read that legislation and not have to consult a lawyer as to what it means. Our amendment

imply clarified that the diseases to be prescribed would be prescribed through regulation. There would be a consultation between optometrists, ophthalmologists, the ministry and the public as to what diseases optometrists should be able to identify and treat and when they should refer patients to ophthalmologists. There is confusion out there, and I hope the minister will clarify that confusion in the coming days and weeks since these acts will probably be passed into law tomorrow.

Finally, members will be relieved to know, we have Bill 63, the Psychology Act. I have skipped a whole pile of bills. I think I have only touched on about six and there were 24, so that should be a relief.

On behalf of my caucus, I want to say we are very pleased that the Ontario Board of Examiners in Psychology, the Ontario Psychological Association and the Ontario Association of Consultants, Counsellors, Psychometrists and Psychotherapists were able to come to an agreement on the extension of regulation to additional groups of providers qualified at a level other than a doctoral level of training.

I say hello to the group in the gallery, which I guess we are not allowed to do, but I just did. Sorry about that, Mr Speaker. No disrespect intended.

I really have to give some credit to the former Liberal Minister of Health, the Chair of our committee, the member for Oriole, in terms of advising me personally on how to deal with this issue. I think she provided some personal advice to the government.

By being persistent, by ensuring that psychologists did not get exactly what they wanted upfront from all members of the committee, I think we were able to advance the cause and help to close the rift that had developed between psychologists, those with a PhD, and psychometrists, etc, people who had studied psychometry but had gone to the master level. We had this rift that had developed over the years. Thankfully, as a result of some level heads around the committee and certainly level heads in both the MAs, the master level people, and the PhDs, they have come to an agreement under the new legislation that enables the master level practitioners to be part of the College of Psychologists of Ontario. Hopefully there will be a harmonious relationship there.

I think all three parties recognize that in many areas of the province, master level psychologists, associate psychologists, were practising, doing a very good job and serving definite community needs. We in no way wanted to inhibit their ability to continue that good work. I commend the government and all parties for coming to an agreement on that.

I have taken far more time than I intended. I want to thank the members of the NDP and the Liberal Party whom I had the pleasure of working with over the summer for the agreements we were able to come to. As I said, I have taken the opportunity to put on the record some of my concerns and concerns of my caucus colleagues. It is a historic day. We are pleased to be able to support the legislation in general.

I remind all groups that continue to have concerns that the real battle is not what we debate today; it is in the

regulations. This legislation, probably like no other legislation, puts a lot of faith in the bureaucracy. It has a lot of holes in it that are to be filled by regulation. I detest bureaucrats cooking up regulations and those regulations simply going through cabinet. I do not think all cabinet ministers would totally understand this legislation, not because they would not be capable of doing so, but it does take a few months to get a handle on it. None the less, that is the way it is.

The advisory council that is set up under this legislation has a great deal of work ahead of it. As Health critic, on behalf of my colleagues, when the committee is up and running, I personally will be monitoring its activities. I will be checking the Ontario Gazette to see the regulations that are being made under this act. I encourage members of health care professions to be sure to give their MPP or myself a call if they run into problems down the road.

Mr Conway: On a point of order, Mr Speaker: This will just take a moment. I want to correct the record and I want to thank my colleague the member for Mississauga South. In my remarks some moments ago I thought I said the "overworked, underpaid ophthalmologist," but I may have said something other than that, so I want to be absolutely clear that the record should show that I meant to say the "overworked, underpaid ophthalmologist."

The Acting Speaker (Mr Villeneuve): The honourable member's point of order is quite in order. He is correcting his own record.

Mr Owens: I would just like to congratulate the number of groups that we have here. We have had some historic decisions made. We have representation today from the midwives, from the psychologists, from the chiropractors and from the speech-language pathologists. I think the kind of work we were able to accomplish on this legislation is landmark and, contrary to some of the comments made by the member of the third party, that we not only maintain the status quo but we also enhance the scopes of practice of many specialities.

I would like to comment on a couple of things that the member for Simcoe West said. First of all, his comments with respect to the RNAs: If the member for Simcoe West recalls, if his memory stretches that far back, we did tell him on the last day of committee that the RNAs had in fact been referred to the interim advisory council and that we agreed it is an issue around whether or not the colleges should be separated.

The last issue that I would like to address is the issue of sexual abuse and the member's comments with respect to the third party being the discoverers of sexual abuse in this province. I take offence to that. This is a member of a party that was in power for 42 years, and sexual abuse did not begin within the last number of years. This is a member of a former government that allowed the practitioners to do their own thing without the kinds of interventions we are talking about.

The issues of the patient relations committee being vague, they were left vague for many reasons, and the primary reason is that Marilou McPhedran's report is not

out yet. We want to leave time for her to comment and to make appropriate recommendations.

The Acting Speaker (Mr Villeneuve): I thank the honourable member. Further questions and/or comments?

Mrs Marland: The member for Simcoe West referred to the fact that I was going to introduce someone during my comments. Since I am quite respectful of the fact that many of the people who are here today viewing this process probably wonder how we ever got even this far in terms of the amount of time it takes for us to achieve the final debate on very significant legislation, which obviously this is, I am sure that all the representatives of all the health care professions hope not to have to come down and take time away from their practice of providing health care in this province next week to hear us deliberate these bills further.

In any case, I want to identify the representatives of the Ontario Chiropractic Association, since the member for Simcoe West said that I might. One of them is Peter Waite, who is the executive director, one is Dr Lloyd Taylor, who is the immediate past president, I think, and who is known to most of the people in this House, and also David Chapman-Smith, who is the counsel to that association.

Rather facetiously, I had to cross the floor to speak to these members who now sit in the government gallery, whereas it seems a very short time ago they sat in the opposition members' gallery. As members will notice, I still did go over and welcome them warmly, which I do most sincerely. I know what a lot of work for all the representatives of all the professions the hearings have involved, and I congratulate also the chairman of this committee.

1750

Mr J. Wilson: Since the only member who really said anything in addition to accolades was the member for Scarborough Centre, I would say to him that, yes, my memory does stretch back that far. I would remind the member that I am the one who at committee pressed this issue of registered nursing assistants having their own college.

The idea had not come forward to the government, but it is so very interesting when you are on committee with these folks how, if you have a good idea, after their 10-minute recess of phoning the minister or the Premier's office and finding out what to do, they are so quick to come back and grab your idea. They get the typewriter out and they get a new amendment in and it suddenly becomes their idea. Well, a number of the good amendments brought forward were not totally their idea. All members of the Legislature worked very hard in advising their critics and advising the members of the standing committee on social development on what was best for the legislation.

Sexual abuse: A good point was raised by the member for Scarborough Centre. It has been going on for years, but I would say in defence of my colleagues in the past, I suppose, that we certainly were not aware of the issue as we are today. Today is the time to do something about it, and as I said in my remarks, we are not pleased. We do not think the government went far enough in addressing this

very serious issue. The government has paid lipservice to the issue in terms of the program it is setting up. We will be continuing to press them on this issue, as I know that when the final report of the sexual abuse task force is presented next week there will be a great deal more pressure on the government to actually put some teeth in this legislation so we can deal with this very serious problem in society.

Mrs Caplan: I am particularly pleased to have the opportunity today to rise in the House and debate third reading of a historic package of legislation. I think most members of the House are aware of the opportunity I have had to participate in the framing of the legislation, and I spoke on second reading quite extensively.

I would note that here today in the visitors' galleries are representatives of most of the professions that are covered in this package of legislation. I would like to take an opportunity, as the chairman of the committee that held public hearings and studied the package of legislation in depth, to congratulate them all on their presentations before the committee and their participation in that process.

I also want to compliment all the committee members from all of the caucuses. I think the committee hearings were productive. I think there were some significant changes brought forward. I also want to compliment the members of the committee because the issues contained in this package of legislation are very complex and relate to extensive issues of health policy. I think it is important for the public of Ontario to know that it is my opinion that the members of the committee were very well informed when they made their judgements and their decisions on the important and often complex issues contained in this package of legislation.

As I think everyone has heard over the last few minutes, this package of legislation is about how the professions are going to govern themselves and how they will regulate themselves. The framework is one which I think replaces an outmoded and outdated approach. This new package sustains both self-governing and self-regulation as a model. It encourages greater public accountability by all the professions and I believe that is in the public interest.

I know there are many outstanding concerns and I would like to be on the record as saying I do not think the package of legislation is perfect. I said on second reading that I hoped the committee process would improve what was presented in this House. I think it has. Many of the outstanding issues that have been raised by those people on behalf of organizations, and members of the public, consumer associations and others, I think, presented cases which the advisory committee to be established under this legislation will find appealing and attractive. I predict that we will see amendments to this legislation, and changes by regulation as well, in very short order.

I do not intend to speak at length. For those who are here today to view third reading, hopefully the legislation will be completed tomorrow here in the Legislature. It is a significant package and I know many members of the House wanted to have at least a few minutes to have their say about how they feel about this. I think that is appropriate. This began 10 years ago. It has been a full decade

nce the HPLR, the Health Professions Legislation Review, was established. I am hopeful this will finally be proclaimed within the very near future. My prediction is that it could be up and functioning as early as next fall if the government proceeds as expeditiously as it should.

I want to compliment as well the ministry staff, who served the committee well, certainly served me well in my former life, and who have served the new government and the new minister and the parliamentary assistant who carried this legislation ably through the committee very, very well. My compliments to the ministry staff for their hard work and their dedication to serving the public interest as well.

I believe it was a very productive use of my time. I believe, on behalf of my constituents in the riding of Oriole, that they have been well served. This package of legislation will, I think, better protect the public. I was particularly pleased that the government saw fit to reinsert the harm clause. They knew how strongly I felt about that, and I think it was done in a way which will allow for choice, going to unregulated professionals, while at the same time protecting the public from physical harm and holding accountable those who deliver health services to the public. I think the government made a wise decision in accepting the amendment to reinstate the harm clause.

I am not going to get into any of the specific details of the legislation. I think this is just the beginning of a package of living legislation that will be seen as a significant reform in health policy, a significant reform in a legislative package that will serve the public interest well. I am pleased and proud to have had an opportunity to serve my constituents and the people of Oriole in the development of this legislation over the years that I have been here in this Legislature.

The Acting Speaker (Mr Villeneuve): I wish to thank the honourable member for Oriole for her comments. Questions and/or comments on the member's participation?

Mr Beer: In the short few minutes that are left, I would like to rise and pay tribute to our colleague the member for Oriole, the Chair of the committee and the former Minister of Health.

I think everyone can recognize that, as I believe the parliamentary assistant mentioned earlier, there were many hands in this legislation that go back to the previous Conservative government, the Liberal government and now the New Democrats. In terms of the way this legislation came

forward, I think the member for Oriole was minister at a particular time when all of the various parts were coming together, and I think we all recognize, in a non-partisan way, that her role in developing that legislation was very, very important.

I think some of the groups that felt very strongly about particular changes were aided and indeed persuaded by the arguments of the former minister in terms of where the public interest lay and how we could both protect the various individual professions and ensure that the public interest was protected.

While the member for Oriole is here and we are here, I think it is only fitting to pay tribute to all the time and work she put in. This is not to say there were not many others who were very closely involved, but I think to have had her as the Chair of the committee was particularly helpful.

It was noted on a couple of occasions that some of the further changes that came about were a result, quite frankly, of our discussions as members of the committee with her and of her discussions with people from the different professions. Out of that, as she says, has come something which, while not perfect, certainly has moved us a great deal farther down the road in having a health professions act that more adequately and more strongly protects the public interest and also provides much greater access to different health professions. So I would just like to state at this time that we do owe a debt to the former minister, the member for Oriole, and thank her very much for all her work.

The Acting Speaker (Mr Villeneuve): Thank you. Further questions and/or comments on the member for Oriole's participation? Seeing none, the honourable member for Oriole will have two minutes in reply.

Mrs Caplan: I would like to move adjournment of the debate.

The Acting Speaker (Mr Villeneuve): A motion to adjourn the debate is not necessary. It is my understanding that if we have unanimous agreement, we can continue for a short period of time beyond 6 of the clock to finish. Agreed?

Some hon members: No.

The Acting Speaker (Mr Villeneuve): No? Therefore, it now being 6 of the clock, this House stands adjourned until tomorrow morning at 10 of the clock.

The House adjourned at 1801.

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Development/Ministre des Collèges et Universités,
ministre de la Formation professionnelle

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Beer, Charles (York North/-Nord L)

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parliamentary assistant to minister responsible for
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adjoint parlementaire du ministre délégué aux Affaires
francophones, vice-président du Comité spécial sur le rôle
de l'Ontario au sein de la Confédération

Boyd, Hon/L'hon Marion (London Centre/-Centre ND)
Minister of Community and Social Services, minister
responsible for women's issues/Ministre des Services
sociaux et communautaires, ministre déléguée à la
Condition féminine

Bradley, James J. (St Catharines L) Leader of the Official
Opposition/Chef de l'opposition officielle

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Minister of Agriculture and Food/Ministre de
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permanent des comptes publics

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development/Présidente du Comité permanent des affaires
sociales

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Carter, Jenny (Peterborough ND) parliamentary assistant to
Minister of Citizenship, responsible for human rights,
disability issues, seniors' issues and race relations
/Adjointe parlementaire de la ministre des Affaires
civiques, déléguée aux Droits de la personne, aux Affaires
des personnes handicapées, aux Affaires des personnes
âgées et aux Relations interraciales

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financières

Chiarelli, Robert (Ottawa West/-Ouest L)

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parliamentary assistant to Treasurer of Ontario and
Minister of Economics/Adjoint parlementaire du Trésorier
de l'Ontario et du ministre de l'Économie

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parlementaire du ministre des Transports

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committee on Ontario in Confederation/Adjoint
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président du Comité spécial sur le rôle de l'Ontario au sein
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Energy/Ministre de l'Énergie

Fletcher, Derek (Guelph ND) parliamentary assistant to
Minister of Consumer and Commercial Relations/Adjoint
parlementaire du ministre de la Consommation et du
Commerce

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Grandmaître, Bernard C. (Ottawa East/-Est L)

rier, Hon/L'hon Ruth A. (Etobicoke-Lakeshore ND) Minister of the Environment, minister responsible for the greater Toronto area/Ministre de l'Environnement, ministre responsable du Bureau de la région du grand Toronto

aeck, Christel (St. Catharines-Brock ND) Vice-Chair, standing committee on the Ombudsman/Vice-Présidente du Comité permanent de l'ombudsman

ampton, Hon/L'hon Howard (Rainy River ND) Attorney General/Procureur général

ansen, Ron (Lincoln ND)

arnick, Charles (Willowdale PC)

arrington, Margaret H. (Niagara Falls ND) parliamentary assistant to Minister of Housing/Adjointe parlementaire du ministre du Logement

arris, Michael (Nipissing PC) leader of the Progressive Conservative Party/Chef du Parti progressiste-conservateur

aslam, Hon/L'hon Karen (Perth ND) Minister of Culture and Communications/Ministre de la Culture et des Communications

ayes, Pat (Essex-Kent ND) parliamentary assistant to Minister of Agriculture and Food (agriculture)/Adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation (agriculture)

enderson, D. James (Etobicoke-Humber L)

ope, Randy R. (Chatham-Kent ND) parliamentary assistant to Minister of Community and Social Services/Adjoint parlementaire du ministre des Services sociaux et communautaires

uguet, Bob (Sarnia ND) parliamentary assistant to Minister of Energy/Adjoint parlementaire du ministre de l'Énergie

ackson, Cameron (Burlington South/-Sud PC) Chair, standing committee on estimates/Président du Comité permanent des budgets des dépenses

amison, Norm (Norfolk ND) parliamentary assistant to Minister of Industry, Trade and Technology, responsible for small business/Adjoint parlementaire du ministre de l'Industrie, du Commerce et de la Technologie, délégué aux Affaires des petites entreprises

ohnson, Paul R. (Prince Edward-Lennox-South Hastings/Prince-Edward-Lennox-Hastings-Sud ND) parliamentary assistant to Minister of Revenue/Adjoint parlementaire du ministre du Revenu

ordan, W. Leo (Lanark-Renfrew PC)

lopp, Paul (Huron ND) parliamentary assistant to Minister of Agriculture and Food (food)/Adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation (alimentation)

ormos, Peter (Welland-Thorold ND) Chair, standing committee on resources development/Président du Comité permanent du développement des ressources

rwinter, Monte (Wilson Heights L)

ankin, Hon/L'hon Frances (Beaches-Woodbine ND) Minister of Health, minister responsible for the provincial anti-drug strategy/Ministre de la Santé, ministre déléguée à la Stratégie antidrogue provinciale

ughren, Hon/L'hon Floyd (Nickel Belt ND) Deputy Premier, Treasurer of Ontario and Minister of Economics/Vice-premier ministre, Trésorier de l'Ontario et ministre de l'Économie

essard, Wayne (Windsor-Walkerville ND) parliamentary assistant to Minister of Colleges and Universities/Adjoint parlementaire du ministre des Collèges et Universités

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Malkowski, Gary (York East/-Est ND) parliamentary assistant to Minister of Citizenship, responsible for human rights, disability issues, seniors' issues and race relations/Adjoint parlementaire de la ministre des Affaires civiles, déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales

Mammoliti, George (Yorkview ND) parliamentary assistant to minister responsible for the provincial anti-drug strategy/Adjoint parlementaire de la ministre déléguée à la Stratégie antidrogue provinciale

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Morin, Gilles E. (Carleton East/-Est L) Deputy Speaker and Chair of the Committee of the Whole House/Vice-Président et Président du Comité plénier de l'Assemblée législative

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parliamentary assistant to Minister of Financial Institutions, government whip/Adjoint parlementaire du ministre des Institutions financières, whip du gouvernement

Perruzza, Anthony (Downsview ND) parliamentary assistant to Minister for Skills Development/Adjoint parlementaire du ministre de la Formation professionnelle

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Ward, Brad (Brantford ND) parliamentary assistant to Minister of Industry, Trade and Technology with responsibility for trade and technology/Adjoint parlementaire du ministre de l'Industrie, du Commerce et de la Technologie et délégué au Commerce et à la Technologie

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Wessinger, Paul (Simcoe Centre/-Centre ND) parliamentary assistant to Minister of Health/Adjoint parlementaire de la ministre de la Santé

White, Drummond (Durham Centre/-Centre ND) Chair, standing committee on regulations and private bills/Président du Comité permanent des règlements et projets de loi privés

Wildman, Hon/L'hon Bud (Algoma ND) Minister of Natural Resources, minister responsible for native affairs/Ministre des Ressources naturelles, ministre délégué aux Affaires autochtones

Wilson, Hon/L'hon Fred (Frontenac-Addington ND) Minister of Government Services/Ministre des Services gouvernementaux

Wilson, Gary (Kingston and The Islands/Kingston et Les Îles ND) parliamentary assistant to Minister of Culture and Communications/Adjoint parlementaire de la ministre de la Culture et des Communications

Wilson, Jim (Simcoe West/-Ouest PC)

Winniger, David (London South/-Sud ND) parliamentary assistant to Attorney General, parliamentary assistant to minister responsible for native affairs/Adjoint parlementaire du Procureur général, adjoint parlementaire du ministre délégué aux Affaires autochtones

Wiseman, Jim (Durham West/Durham-Ouest ND) parliamentary assistant to Minister of Correctional Services/Adjoint parlementaire du ministre des Services correctionnels

Witmer, Elizabeth (Waterloo North/-Nord PC)

Wood, Len (Cochrane North/-Nord ND) parliamentary assistant to Minister of Natural Resources/Adjoint parlementaire du ministre des Ressources naturelles

Ziemba, Hon/L'hon Elaine (High Park-Swansea ND) Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations/Ministre des Affaires civiques, déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales

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Finance et affaires économiques

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Rôle de l'Ontario au sein de la Confédération

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 Kimble Sutherland
 Clerk/Greffier: Smirle Forsyth

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Legislative Assembly
of Ontario

First Session, 35th Parliament

Official Report of Debates (Hansard)

Thursday 21 November 1991

Assemblée législative
de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le jeudi 21 novembre 1991

Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Numbering of Hansard

Effective with the opening of the Second Session of the 35th Parliament, Hansard issues and pages will once again be numbered on a sessional basis. Hansard numbering therefore will become consistent with Orders and Notices and Votes and Proceedings, and with other parliamentary publications throughout Canada.

For the last two years Hansard has been numbered according to the calendar year. Under this system, the numbering of issues and pages was restarted with the first issue in the calendar year, regardless of session or Parliament.

Under the new system, the sequence of numbering started in January 1991 will end with the final House and committee sittings of the present First Session. A new sequence will begin on the opening day of the Second Session, and each succeeding session, which will be issue 1 and begin with page 1. Committee reports likewise will be numbered from the first sitting of each committee in a parliamentary session.

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Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 325-7400.

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A partir du début de la deuxième session de la 35^e législature, les pages et les numéros du Journal des débats seront de nouveau numérotés par session. La numérotation du Journal des débats correspondra donc à celle de Feuilleton et Avis et de Procès-verbaux, ainsi que celle des autres publications parlementaires au Canada.

Depuis deux ans, le Journal des débats était numéroté par année civile. Avec ce système, la numérotation des numéros et des pages recommençait au premier numéro de l'année civile, quelle que soit la session ou la législature.

Avec le nouveau système, la numérotation commencée en janvier 1991 s'arrêtera à la dernière séance de la Chambre et des comités de l'actuelle première session. Une nouvelle série commencera le jour de l'ouverture de la deuxième session et des sessions suivantes : numéro 1, page 1. Les rapports des comités seront également numérotés à partir de la première séance de chaque comité pour une session parlementaire donnée.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 21 November 1991

The House met at 1002.

Prayers.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

PORNOGRAPHY

Mrs Marland moved resolution 32:

That, in the opinion of this House, recognizing that violence against women is a serious problem which all governments have a responsibility to prevent; and recognizing that there is a body of research which shows a causal link between pornography of a violent nature and violence against women; and recognizing that there have been conflicting court decisions on whether publications in various media, depicting various sexual activities, are obscene; and recognizing that the Ontario Film Review Board is guided in its classification decisions by principles outlined in the regulations under the Theatres Act which are based on community standards; and recognizing that the Ontario Film Review Board, following recent court decisions, has decided that community standards are such that explicit sexual acts between consenting adults should no longer be censored so long as the films do not depict sex involving violence, coercion, degradation, bondage, minors, bestiality and necrophilia; and recognizing that section 163(2)(a) of the Criminal Code of Canada prohibits people from knowingly selling or exposing to public view "any obscene written matter, picture, model, phonograph record or other thing whatever"; and recognizing that section 163(8) of the Criminal Code defines "obscene" publications as being dominated by "the undue exploitation of sex, or of sex and any one or more of the following subjects, namely, crime, horror, cruelty and violence"; and recognizing that in recent months, police have charged video store owners under sections 163(2)(a) and 163(8) of the Criminal Code for renting or selling adult sex movies which had been approved with a "Restricted" rating by the Ontario Film Review Board; and recognizing that action must be taken so that the enforcement of the Criminal Code does not conflict with the decisions of the Ontario Film Review Board; the Attorney General should consult with the federal Minister of Justice and all provincial attorneys general to develop a more workable definition of "obscene" which can be applied consistently by law enforcement authorities and film classification agencies, and should encourage the federal government to introduce a bill amending the Criminal Code of Canada to replace the old definition of "obscene" with this revised definition.

The Acting Speaker (Mr Villeneuve): Pursuant to standing order 94(c)(i), the honourable member for Mississauga South has 10 minutes for her presentation.

Mrs Marland: I stand in this House this morning to discuss what in my opinion, I respectfully suggest to the members of this House, is the most grave and serious mat-

ter I have discussed in my six years as a member. My private member's resolution proposes that once again the legislators of our province and our country open discussion on the subject of pornography, including its effect on society and appropriate action to control its distribution and consumption.

Pornography is a subject about which we all have strong feelings. It is a subject so controversial that Canadians and their legislators cannot agree on what is or is not pornographic, but we all know that pornography involves sexuality and the abuse of power—men's power over women and adults' power over children.

In order to provide a framework for our debate today, I will use the definition of pornography from a fact sheet on sexual assault called *Pornography: The Links*, which was published last November by the Ontario women's directorate. It defines pornography as "sexually explicit material that portrays or endorses degrading or abusive sexual behaviour."

The starting point of my resolution is the extremely serious problem of violence against women, and research which shows that there is a causal link between pornography, as I have defined it, and violence against women.

Consider the cover of Maclean's news magazine last week, which read:

"Women in Fear: Abductions, sexual assaults and murders of women are causing growing alarm among Canadians. A campaign to end the reign of terror has begun."

This campaign must not only help women to protect themselves, but also determine and work towards eliminating the causes of violence against women. Given the disturbing conclusions of research linking pornography to sexual assault, we must reopen this debate.

1010

At this point I have to emphasize that although I am standing in this Legislature this morning as a woman, this is not a woman's issue. It is an issue for every human being in a position of responsibility in this nation, and in so saying, I challenge anyone in this House this morning who has a mother, a sister or a daughter to not support this resolution.

In any discussion of pornography, the controversial subject of censorship arises. Because Canada's provincial governments have responsibility for film and video classification, our government must be a strong voice in the debate on censorship and pornography. I have focused my resolution on a situation which has caused the censorship debate in Ontario to heat up in recent months. The police have been charging video store owners for renting or selling adult sex videos, even though these videos have received the approval of the Ontario Film Review Board with a "Restricted" rating.

How could such a situation arise, and what can we do to resolve it? These are the questions I asked the Minister of Consumer and Commercial Relations, who is responsible for

the Ontario Film Review Board, in a letter last spring. In her reply, the minister said:

"In reaching classification decisions, board members are guided by specific principles, outlined in regulations under the Theatres Act, which are based on community standards.

"Being a citizen agency that is restricted to working within the parameters of provincial legislation, the board does not have the authority, nor is it qualified to determine whether the material it classifies violates the Criminal Code's obscenity provisions."

While the board reaches its decisions based on community standards, the police enforce the Criminal Code of Canada, which states that it is a criminal offence to sell or expose to public view "any obscene written matter, picture, model, phonograph record or other thing whatever." The Criminal Code defines obscene material as being dominated by "the undue exploitation of sex, or of sex and any one or more of the following subjects, namely, crime, horror, cruelty and violence."

The problem is, what is undue exploitation of sex? There have been conflicting court decisions in this regard. Generally, though, the courts have held that Canadian community standards will determine what is undue exploitation. This is still problematic, since there is little agreement on what constitutes Canadian community standards. In short, the Criminal Code's definition of "obscene" is unworkable.

The present situation wherein the Ontario Film Review Board's ratings conflict with the police's interpretation of obscenity in the Criminal Code cannot be allowed to continue. We need a revised definition of "obscenity" that can be applied consistently by law enforcement authorities and film classification agencies.

In the same letter I quoted from moments ago, the Minister of Consumer and Commercial Relations agreed, saying:

"As you indicate in your correspondence, a clearer definition of 'obscenity,' that could be applied consistently by law enforcement authorities, and film classification agencies, such as the Ontario Film Review Board, would be very useful in eliminating conflicting interpretations of what is obscene or pornographic."

The government of Ontario does not have the authority to amend the Criminal Code, of course, but we can be a catalyst for change. If the Attorney General of Ontario requests that the federal Minister of Justice and her provincial counterparts develop a new and workable definition of "obscenity," this will send a strong signal to the federal government and to Canadians that changes to our pornography laws are urgently required.

In developing a new definition, it will be essential to have broadly based consultations with the residents in each jurisdiction. While the government of Ontario cannot dictate what consultations other governments should undertake, I believe we can safely assume that the attorneys general and the Minister of Justice would not develop a new definition of "obscenity" in a vacuum.

At this point I will turn to some of the factors we must consider in our efforts to develop a workable definition of "obscenity."

First, we must ensure that the new definition protects the rights of Canadians as enshrined in the Canadian Charter of Rights and Freedoms. We must also consider a broad spectrum of views on what is obscene. At one end of the spectrum are people who are offended by any explicit portrayal of sexual activity, even nudity. At the other end are people who believe adults should have the right to view, read or listen to any material of their choice. In between are people who believe that erotica, the portrayal of sexual expression between two consenting people, should not be censored for adult audiences but that we must have controls on materials that depict degrading or abusive sexual behaviour. Even among this middle ground there is considerable disagreement over what activities are within the range of normal sexual behaviour.

If we are to recognize the dignity and worth of women, as well as women's rights to security and freedom from cruelty, we have to impose certain limitations on freedom of expression. These limitations already exist for hate literature; they must also exist for pornographic materials which induce hatred of women.

As I will discuss in a few moments, there is substantial evidence that pornography is a causal factor in many cases of sexual assault. Members of this House who do not believe in the censorship of pornographic films and videos should view the film about pornography called *Not a Love Story*, produced by the National Film Board of Canada in 1981, which included a wide range of actual pornographic footage. As well, they should contact the Ontario Film Review Board and ask to view its out-take films which consist of the materials that have been censored from movies and videos.

When I was a councillor for the city of Mississauga, I viewed the out-takes and was so angered, sickened and frightened that I insisted my fellow councillors also see these films. Several of my colleagues, all male, joined me for another screening of the out-takes. To give members an idea of how violent and degrading these films were, one councillor left after five minutes saying he could not stand any more, and the remainder of the men did not complete the total viewing.

This is an opportunity to send a strong signal to Ottawa and the other provinces that it is time to revisit the difficult issue of pornography. The security and dignity of Canadian women depend on it.

Mr Fletcher: I want to congratulate the member for Mississauga South for introducing this resolution. I think it is going to go a certain distance as far as the causal link between pornography and violence against women is concerned.

Throughout society right now, what we are seeing are some of the effects of what has been happening at universities in this province. I know at the University of Guelph emergency poles have been put up which flash and ring bells if there is an emergency. I know these are not just meant for women who are being attacked, but that was the primary reason for having the poles there.

We have women marching in cities throughout the country calling to take back the night. Again it is just more evidence of the violence that is coming out. Surely if people in this country can band together to try to stop smoking, they can band together to try to stop the violence that is being directed towards women.

As far as the Ontario Film Review Board is concerned, it is an agency made up of citizens who represent a cross-section of the Ontario population. Its role, as outlined in the Theatres Act of the Ministry of Consumer and Commercial Relations, is simply to classify films for commercial distribution. All films and videos except educational, library or film festival material must be submitted to the board prior to public distribution. Over the years, the film board's role has changed, along with society's changing attitudes. Life is far more complex now than it was in 1911 when the board was known as the Board of Censors. Back then, a greater emphasis was placed on censorship, whereas today it is classification.

There is still some material, however, that the board will not classify. For instance, it is very sensitive to and will not classify films containing violence, degradation towards women, minors involved in sexual activity, brutal violence with sexual connotations and animal abuse. If a film does not meet the board's classification criteria, the board will not allow the film for distribution. But only the courts can decide whether materials are obscene. I agree with the member for Mississauga South that the Attorney General should consult with the federal people and other provinces to try to get a certain definition of what can be obscene.

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The Minister of Consumer and Commercial Relations did meet recently with members of the board and did encourage their efforts to seek dialogue with community members to try and determine the kind of behaviour that is acceptable in their home towns and in their own neighbourhoods.

We also want to assure the people of Ontario that the classification set out by the board is a classification that the people on the board are trying to establish through community standards, and the standards are changing all the time. These standards are reflected and upheld in the movie and video industry.

Not only is the violence being directed towards women just from films that we can rent in a store or see in a theatre; it is also on television today. It may not be as graphic, but you do not have to be a rocket scientist to understand that the violence being directed towards a woman in a TV show is just as dangerous as anything else we can view.

We have to start somewhere. I agree with the member for Mississauga South that this is a good starting point, trying to find out what obscene is and trying to stop some of the material. I am one of those people who will say no to censorship, but in some instances censorship has to be used in order to stop the exploitation of people in our society. I believe the member for Mississauga South has really hit it on the nail with her resolution. I will be supporting it wholeheartedly.

Mrs Caplan: On behalf of my constituents in the riding of Oriole, I am pleased to participate and speak today to this resolution by the member for Mississauga South regarding a matter which is really outside the jurisdiction of the province of Ontario. As the member for Mississauga South clearly stated, the Criminal Code, under which the definitions of "obscene" fall, is within the federal jurisdiction, and it is in the federal Parliament that these issues will ultimately have to be decided.

However, the resolution of the member for Mississauga South does give us in this House an opportunity to speak about an issue affecting our quality of life and our feeling of having safe and secure communities within Ontario, and that is the increased violence we are seeing.

I believe we are quite fortunate in this province. I think we are fortunate because, compared with any other community in the world, Ontario is one of the safest. Certainly against any city of comparable size, Metropolitan Toronto would be considered one of the safest. Having said that, I am also aware that the increase in crime, particularly violent crime, and the increase in violence in our society, particularly domestic violence which is occurring in the home, are things we must be very aware of if we want to learn from what other major cities of the world have experienced and ensure we take preventive actions now to maintain a safer, more secure community for the people of Ontario.

Safety in our streets and security in our homes are, I think, non-partisan goals, something we all share as parliamentarians and members of this Legislature, regardless of political stripe. They are things we all want. I think we are all distressed at the increasing rates of crime across this city, this province and this country.

Particularly during times of economic downturn and recession, we know it is extremely important that we are aware of anything we can do to assist those people who are troubled, who are suffering because of job loss and who perhaps lash out in their despair at those they love most, their spouses and their children. Our programs and policies in Ontario must reflect our commitment to a safe and secure community and environment.

I thank the member for Mississauga South for giving me as a provincial legislator the opportunity to discuss my concern about increasing violence and abuse and my concern about safety on behalf of my constituents and my community, particularly in Metropolitan Toronto, the city of North York and the riding of Oriole.

The member for Mississauga South referred specifically to the Attorney General working with or requesting federal legislators and the federal government to come up with a new definition of "obscene." Some of the most obscene things I have witnessed in my time as a member of government and in my time in public life before I was a member of this Legislature had nothing to do with erotica, had nothing to do with the beauty of sexual nature. Many of them had to do with exploitation of women, violence against women and children and the kinds of unacceptable behaviour that we would find obscene by any community standard.

As a former chairman of the Ontario Liberal Women's Perspective Advisory Committee, I know we spent a great deal of time discussing the pulls and tugs we had, because nobody likes censorship. We value our freedoms in society. We want the greatest freedom possible for ourselves, our families, our friends and all the people of Ontario. As legislators, we know lawmaking is always defining the rights of society and the rights of the individual, and as a Liberal my principles and my concerns are that we consider the rights of the individual as well as the collective rights of society and we balance those interests in a way which reflects the public interest.

When I discuss with my constituents the issue of pornography and definitions of obscenity, there is much confusion. Many of them do not realize this is a matter which is wholly within the purview of the federal Parliament. There is very little the province can do regarding a new definition of obscenity. I think we all agree a new one is needed and would help to clarify the role of the Ontario Film Review Board.

I have been able to share with interested constituents the history of the film review board in Ontario, the important role it has played and how its role has changed. During this debate it might be helpful to the people who are watching this discussion to be aware that things have evolved and changed since 1911 when the original board of censors under the Theatres and Cinematographs Act consisted of three persons. They had the right, on behalf of all the citizens of Ontario, to censor films. All films had to be stamped by the board when approved. That has changed dramatically over the years.

In 1914 it was stated that children under 15 had to be accompanied by an adult; in other words, an adult member of the household. That was very clear, and there was a requirement under the act that children had to be accompanied before they could attend films.

In 1918 the board was given a completely free hand to permit or refuse any film. An appeal committee of three persons—the minister, his secretary and one other—was established to make those decisions on behalf of all the people of Ontario.

1030

In 1919 women's groups advocated more freedom and more rights for their gender. The press criticized the censor board's reluctance to have women appointed on a permanent basis and the minister was deluged with applications. Finally, at the end of 1919, a woman was appointed to the Ontario Board of Censors.

In 1920 the board was changed and reconstituted and the new board contained two women. The former chairman in fact was Mr George Armstrong, and he was reappointed to oversee advertising. By 1921 the board had adopted a set of standards and copies were sent to distributors, who were asked to examine and censor their own films before submission. Despite the precautions, the board usually made further eliminations, and in 1921, 67 films were rejected and 825 had eliminations. Over the years 1926 and 1927 there were again many changes.

In 1930 the Theatres Act was amended to include film exchanges. Operators were graded, fixed fees established

for censorship and so on. Rules said, for example, that alterations were recommended by inspectors and leases could be revoked for non-compliance. Matinees on Saturdays and holidays between 10 am and 6 pm were introduced and, for the first time in Ontario, children under 16 were permitted to attend movie theatres unaccompanied.

In 1931 there was enabling legislation that brought about a quota system for British films because of the influence of American gangster films. For the very first time, in the early 1930s we saw concern about violence in our society.

I could go on far beyond my 15 minutes. I just want to say that from the 1930s through the 1940s, 1950s, 1960s, 1970s and well into the 1980s the classification system evolved and developed. I am very aware of how the Ontario Film Review Board works, the important role it plays in our society and its commitment to development of ongoing community standards as attitudes in our society change.

I know they are very sensitive, because they come from all parts of this province. They are now selected to reflect the communities they live in, and I think that is a very important step. I believe that in this society, where we see the levels of child abuse, family violence and domestic abuse, where we see cartoons on TV that are extremely violent, where we see the kind of violence on TV—sometimes even in advertising but certainly in TV programming—what has happened within our society is a desensitization of what we find unacceptable and our tolerance unfortunately has led us into an era where violent behaviour and acting out is all too common and is seen as acceptable.

I believe the debate that has been initiated in this House today goes far beyond a discussion of simply a definition of "obscene" that discusses pornography. I am very concerned that we see an attitude towards violence, all kinds of violence. A few years ago we had the terrible example of snuff films. They were not sexual in any way. They had nothing to do with sex. Most violence, most pornography and most of that which is truly obscene in our society has very little to do with sex and certainly nothing to do with erotica.

The challenge of Project P, the police enforcement unit within Metropolitan Toronto, and of legislators is to look for ways to improve our quality of life and to ensure the safety and the security of women and children, especially in their homes and communities, so that women and children can walk safely on the streets. We have a goal to work together. If we can discuss in open forum how we can achieve that goal so that men and women and children will feel safe in their communities and in their own homes and so that disputes can be resolved in alternative ways rather than through violent behaviour, then I believe we are making progress not only towards a more sensitive and humane society but towards building the kind of life in Canada that we want for our children and our grandchildren.

I know that here in Ontario there are many programs which are supportive and that encourage this kind of self-help for people who have experienced violent behaviour. I

know there are very few opportunities for members of the Legislature to speak on a topic which is primarily under federal jurisdiction, that is, looking for a new definition of "obscene."

In 1984 the Ontario Liberal Women's Perspective and Advisory Committee recommended a new definition and sent that definition to the federal minister of the day. I want to express my own personal disappointment that there has not been any action taken on what I think was a very reasonable and reasoned proposal.

I encourage support for the member for Mississauga South's resolution which suggests that discussion take place in the appropriate forum of the provincial Legislature. I commend to the Attorney General and to the government of the day the work done by the Ontario Liberal Women's Advisory Committee, and I will support this resolution.

Mrs Marland: Just to resume where I left off, we must consider the growing body of research on the relationship between pornography and violence against women. The fact sheet on sexual assault entitled *Pornography: The Links*, which I referred to earlier, notes some of the research which has been studied by the Ontario research directorate. This fact sheet cites a study of sex offenders which found that 56% of the rapists and 42% of the child molesters in the sample said pornography did play a part in their offences.

Another study of video pornography, adult videos and highly restricted triple X videos, found that 13% of all scenes involved sexual violence, including rape; 35% involved sexual harassment; 17.5% involved sado-masochism and 6% involved sexual mutilations. This Canadian study raises an obvious question: If film classification agencies like the Ontario Film Review Board say they censor out sexual violence, why and how are these videos slipping through the cracks?

The fact sheet also cites a national survey of Canadians' use of pornography, which indicates that young people aged 12 to 17 years are the primary consumers of pornography. If we are not concerned about anything else, we must be concerned about that statement, that the primary users of pornography are between the ages of 12 and 17, and 35% of these young people expressed an interest in watching sexually violent scenes—rape, torture, bondage, etc. These are very frightening statistics. What effect is the consumption of pornography having on youths who are reaching sexual maturity and forming values about relationships between men and women?

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The fact sheet also raises many issues to consider. For instance, males commit most sexual assaults, and studies have shown that males are also the biggest consumers of pornography. The fact sheet also notes: "Violent and dehumanizing pornography has been shown to increase acceptance of rape myths, increase acceptance of violence against women, decrease sensitivity to the suffering of rape victims, increase sexual callousness, increase male willingness to rape." Studies indicate that pornography undermines internal inhibitions against rape. It presents

women as objects and perpetuates the myth that women enjoy rape and find it sexually exciting.

In an experiment on desensitization, researchers showed men 10 hours of R-rated movies with sexual violence over a five-day period. On the last day, the men watched a documentary re-enacting a real rape trial. The men blamed the rape victim more for the rape, rated her as significantly more worthless and saw her injury as significantly less severe than did a control group of other men who had not viewed the R-rated movies. We cannot and must not ignore this evidence which is piling up in support of a causal link.

I would now like to quote from an eloquent letter to the editor of the *Globe and Mail* by the former minister responsible for women's issues, the member for Scarborough West, Anne Swarbrick. This letter appeared in the *Globe and Mail* on July 25 of this year, and I will say with great pleasure that Anne Swarbrick is a member of this Legislature whom I personally admire and respect very much. She is an extremely bright, capable young woman. Responding to some criticism of the fact sheet produced by the Ontario women's directorate, the former minister wrote the following five paragraphs:

"The relationships between sexual assault and pornography are not simple. Studies' conclusions range from strong connections between pornography and sexual violence to none.

"Our publication *Pornography: the Links* does not state that pornography causes violence. Rather, it shows through annotated statements from a number of studies that pornography creates and supports a climate in which sexual violence against women is rationalized, minimized and even made acceptable.

"That climate, in turn, supports the myth surrounding sexual violence that women are first and foremost sexual objects, that women secretly enjoy forced sex, that women, unbeknown to ourselves, desire to be sexually assaulted, and that women need to experience pain to experience pleasure.

"Pornography designed to degrade women or show abusive sexual behaviour reinforces these myths. That is the danger of pornography, and that is how it is linked to sexual violence against women.

"Sexual assault is an act of violence, power and control. Sexual violence against women is rooted in, reflects and reinforces the inequality between men and women in our society."

Before concluding my remarks, I should stress that my resolution will fill just one of several gaping holes in our pornography laws, which require a major overhaul. However, within Ontario's jurisdiction, responsibility for the control of pornography is limited to the work of the Ontario Film Review Board; hence by necessity the rather narrow scope of my resolution.

I ask all the members of this House to show solidarity on this essential issue of the need to protect society from materials which portray degrading or abusive sexual behaviour. In order to eliminate the confusion over what is and is not obscene, a new Criminal Code definition must be developed which can be consistently interpreted by all

parties: by police who enforce the Criminal Code, by judges and jurors who decide court cases, by the Ontario Film Review Board which classifies our films and videos, by theatres which show films, by stores which sell and rent videos, and by citizens who view these films and videos.

Redefining obscenity is a difficult task but one that is vital in our efforts to build a strong society which, in the words of the Ontario Human Rights Code, recognizes "the dignity and worth of every person" and provides for "equal rights and opportunities without discrimination that is contrary to law."

There will have to be compromises to develop a new definition, and as with any other controversial issue, it will be impossible to satisfy everybody. None the less, I believe our Attorney General, together with his federal and provincial counterparts, should be able to devise a workable definition after whatever study, discussion and consultation each jurisdiction believes to be appropriate. We cannot amend the Criminal Code ourselves but we can play a key role in ensuring that it is amended.

I ask for members' support by passing my resolution today and I ask the Attorney General to convey this resolution from the government of Ontario to his counterparts in Ottawa and across Canada. This is an opportunity to send a strong signal to Ottawa and to the other provinces that Ontario believes it is time to revisit the difficult issue of pornography.

Finally, I just want to add a quote from another cabinet minister of the current Ontario government, the Minister of Colleges and Universities, who this week issued a press release headed "Minister Denounces Violence Against Women," dated November 18, 1991:

"I am touched personally and professionally by the fact that women in our society face violence at the hands of men, and that, even more important, many women live in continuous expectation of violence at the hands of men," said Richard Allen, Minister of Colleges and Universities, speaking at the Ontario Campus Men's Conference this weekend."

I think the words speak for themselves. This is a resolution against which no one could vote.

Mr Mills: It is a pleasure as usual and always to rise and speak to an issue in private members' time on Thursday morning, and this is no exception. The member for Mississauga South has brought forward her resolution and I think it would be fair to say there is not a member sitting in the Legislature who does not have a great deal of empathy with what is being brought forward.

In the resolution, the proposal for consultation stems in part from what the resolution calls conflicting court decisions on what is obscene and from the fact that the Ontario Film Review Board has approved some films for release in Ontario that have subsequently been the subject of criminal charges by police forces in Ontario.

The Attorney General is always prepared to engage in meaningful dialogue with the federal government and his provincial counterparts to ensure the continued just and appropriate administration of the criminal law. However, it would be inappropriate to engage in the proposed discus-

sions at this time. The reason, very simply put, is that the matter is before the courts.

The current definition of obscenity was introduced by the Parliament of Canada in 1959 and since that time it has repeatedly been given very careful consideration by provincial appellate courts across the country, and on numerous occasions the obscenity provision has been considered by the Supreme Court of Canada. As a result the courts, working co-operatively with Parliament, have developed an elaborate yet sensitive and ultimately practical definition of "obscenity."

The courts have been careful to ensure that this definition takes account of developing community standards in a restrained and judicial way. It is therefore inevitable that occasionally, as social views develop and change over time, the courts will be called upon to reassess what types of material fall under the definition of "obscenity." That is the situation at the present time.

Every day of the week hundreds of provincial, divisional and General Division judges in the Ontario Court of Justice hear criminal matters across the province. Therefore, it is perfectly understandable that on a very few occasions some of these judges might have very limited differences of opinion when interpreting criminal law such as the obscenity law. When this occurs, lawyers from the Ministry of the Attorney General are apprised of the situation and where appropriate take all steps within their power to bring these cases before the Court of Appeal for Ontario seeking clarification. Indeed, an important part of the function of any Court of Appeal is to resolve these differences of opinion among judges in the trial courts. That is simply a fact of life.

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On the issue of obscenity, the limited differences in interpretation at present are entirely limited to the trial courts. Ministry lawyers involved in those cases are doing everything they can to facilitate their hearing by the Court of Appeal. This is the usual route by which differences in interpretation by the courts are resolved. This route of appeals, first to the Court of Appeal for Ontario and ultimately to the Supreme Court of Canada, has served the administration of justice extremely well for decades and there is no reason to assume it will not do so again.

Legislatures depend on the courts to interpret very broad words that must inevitably be used in statutes and to ensure that the interpretation given to a statute such as the obscenity law reflects contemporary community standards. In this respect, the administration of justice has been very well served by the courts. Therefore, it is advisable that we await higher court rulings on this issue so we may benefit from the higher court's wisdom on the proper interpretation of the obscenity law.

There is another reason why it is premature to discuss a new definition of "obscenity" at this time. Apart from the proper interpretation of the obscenity law, its constitutional validity is currently before the courts. As everyone is well aware, Parliament, in enacting criminal law such as an obscenity law, is bound by the Canadian Charter of Rights and Freedoms which is the supreme law of the land. Therefore, any obscenity law which Parliament might

make must respect the constitutional guarantee of free expression.

At present, the current obscenity law has been challenged as a violation of that freedom of expression. This case was heard by the Supreme Court of Canada in June 1991 and a decision has not yet been made. Until that decision has been made, there can be no useful discussion of the obscenity law among legislatures because we have yet to receive the benefit of the court's ruling about how obscenity might be regulated without infringing on that freedom of expression.

Consequently, because of the cases pending before the Court of Appeal for Ontario and the Supreme Court of Canada, there is no point in discussing the current obscenity law. The courts have, in three decades since the obscenity law came into force, effectively provided authoritative guidance in this area of the criminal law. There is absolutely no reason to think the courts cannot assist the administration of criminal justice in this way again.

Mr J. Wilson: I am very pleased today to support the resolution put forward by my colleague the member for Mississauga South and I find it abhorrent that the previous speaker, the NDP member for Durham East, would not be supporting this resolution, particularly in light of the comments and quotes my colleague the member for Mississauga South attributed to members of the NDP government, the NDP cabinet.

It is abhorrent that any member of this Legislature would contemplate not voting to support this resolution. Perhaps the member for Durham East has missed the point of the resolution, that we are trying to send—I commend my colleague the member for Mississauga South for bringing forward the resolution—a very strong message to provincial attorneys general and to the federal government that the definition of “obscenity” and what actually constitutes pornography must be clarified in the Criminal Code because the Ontario Film Review Board, as the member for Durham East pointed out, relies upon community standards.

We worry very much in my caucus and in the Ontario Conservative Party that community standards are slipping. I studied this for a short time in university when I took a theology course. I give credit to Professor Janine Langan at the University of St Michael's College for pointing out the studies that indicate pornography is an addiction. It is an unhealthy, unnatural addiction and unfortunately, with the Ontario Film Review Board certifying and passing pornographic videos that help to feed that addiction, I worry that community standards are slipping, that we are on the slippery slope.

I ask members of the NDP government to review their thoughts on this if certain members are contemplating not voting for this resolution, because when we allow so-called X-rated and triple X-rated videos to be sold, as they are just a few blocks away on Yonge Street—there are some six stores in a four-block strip from north and south of Wellesley and Yonge that sell and rent triple X videos. People have to realize that when you allow those to be sold and viewed and when you consider that pornography is an addiction that we, by not doing anything, are helping to

feed to our young people, they grow up with very unhealthy and unnatural beliefs in what the morality of our society is and should be.

If members have ever seen a snuff film—a film where extremely degrading and obscene sexual acts are committed against women, where at the end of the film the victim is butchered and dies, and where very often large segments of the film are explicit in showing what is done with the bodily parts—they would know the slippery slope this society is on.

It is our responsibility as legislators, on behalf of our constituents, to try to bring some high moral standards back to society. By allowing what some members, I am sure, think of as mild pornography to be viewed by our young people and in fact by people of all ages—we are particularly worried about young people because we know that addiction starts as early as their teens—the fear is that some day snuff films will become acceptable and community standards will change to the point where the absolute pinnacle of violence against other human beings becomes the norm and accepted in our community.

I put that out as a warning that may come true some day if we do not do something about it, because it was not too many years ago in Ontario that we found the pornographic material now on the newsstands and in film to be abhorrent. Now we see snuff films coming in, where the police really do not have the tools to do the job. When the Ontario Film Review Board allows pornographic material to come in and be viewed, when the police, as we know from the resolution, have charged some video shop owners with distributing obscene material, and at the same time our own government agency has approved that material, there is something seriously wrong.

My colleague the member for Mississauga South is trying to bring that debate to the Legislature. She has done a commendable job of doing that today and I ask all members to support this because it is the slippery slide of morality in this society. We must stop that trend and do nothing to feed the addiction of pornography, particularly in our young people. I ask for all members' support. It is a worthwhile resolution and I cannot believe anyone would ever vote against it.

1100

Mr White: I rise to speak to this issue without the careful and astute research that the member opposite has demonstrated, but I have had many years of experience in working with victims of sexual molestation and sexual assault, almost all of them women, and I have known the tremendous tragedy that their lives have faced after those assaults and after those molestations.

The tragedy is primarily that this is not an act of sexuality; this is an act of violence, an act of cruelty, an act of power. For them, their sense of their selves, their sense of their sexual beings, their sense of their erotic lives and their sense of being able to connect intimately with others have been often permanently damaged. This crossing between what is violent, what is obscene and what is beautiful and erotic is unfortunately true for all of us, to some perhaps lesser degree, and I want to commend the member

for bringing forward these issues of violence that are supposedly of a sexual nature and distinguishing them from what is truly erotic or sexual.

Sexuality, erotic interchange, is something which is intimate. Love speaks to care, to respect and to affection. A loving, erotic exchange is the very opposite of the kind of violence that the member opposite speaks of as obscene. Eros, in Sigmund Freud's terms, is a very creative, vital force and it is opposed and contaminated by the forces of control, violence and power. It is the very opposite of those things.

In our community, those forces of violence, coercion, degradation and the forces of oppression and exploitation are rampant. If we as a community can make an expression of that distinction I think we are helping our community. If we as a Legislature can have this kind of debate, I think it leads the way in terms of the most important and powerful depiction of what is good, natural and affectionate as opposed to what is violent, oppressive and degrading.

That is not a clear message. Certainly the Ontario Film Review Board is making some clarification in that. What is sexual and what is erotic are acceptable, but the issues of violence and degradation, that contamination, are not, they are making clear, and I think this debate helps to do so as well. These will be difficult decisions determining what is obscene. To what degree is something obscene? Is table dancing obscene? Are these kinds of depictions obscene? Especially within the context of a society which has traditionally oppressed women, traditionally oppressed both men's and women's sexuality but particularly women's because they have been the victims of force and rape, their senses of their selves have been tremendously degraded within this overall context.

Mrs Marland: As I think the House is aware, this is not only an extremely sensitive issue; it is also an extremely emotional issue. Since I will not have an opportunity to speak again this morning, I wish to thank the members of all three parties in this House for their support, which I anticipate in passing this resolution this morning.

I know it is a subject that has nothing to do with political parties or partisan politics. It has everything to do with something that all of us, as legislators in this House, share. It is the feeling of helplessness we all share. It is the feeling that we see every day examples of violence in our society that we wonder what we can do about. We wonder what the remedy is. Is there something we can take as our responsibility and take action on?

This resolution this morning is such a small part of the bigger picture, but at least it is a part, and in supporting this resolution maybe this one little part will be the beginning of filling in the whole picture and completing the puzzle that faces all of us to deal with the subject about what is happening with violence against women and children in our society today. We all care, and therefore we do not see this as an intrusion into society's freedom, but rather as a protection of the freedom and the society that we should be able to enjoy.

HEALTH CARE WORKERS' PROTECTION ACT, 1991

LOI DE 1991 SUR LA PROTECTION DES TRAVAILLEURS DE LA SANTÉ

Mr Morrow moved second reading of Bill 147, An Act to Protect Health Care Workers from the Transmission of the Human Immunodeficiency Virus / Projet de loi 147 Loi visant à protéger les travailleurs de la santé contre la transmission du virus de l'immunodéficience humaine.

The Acting Speaker (Mr Villeneuve): The honourable member has 10 minutes to initiate debate.

Mr Morrow: Before I start my debate, I would like to ask the indulgence of the House because I have a cough and I am stuffed up. I understand that happens with higher altitudes such as we sit in here.

I rise today to lead off the debate on Bill 147, An Act to Protect Health Care Workers from the Transmission of the Human Immunodeficiency Virus. The bill amends the Workers' Compensation Act to remedy three important issues workers have to deal with in today's environment. First, it defines health and safety precautions to try and stop the transmission of HIV when working with blood products. Second, it guarantees that people will not lose their jobs if they are accidentally infected. Third, it puts the onus of proof on the Workers' Compensation Board if a worker gets the AIDS virus doing his or her job as a health care worker.

Statistics from medical journals in the United States confirm that 5% of the cases of acquired immune deficiency syndrome, AIDS, were exposed to it by blood products. This may seem like a small number, but the most recent statistics from the Federal Centre for AIDS show that there are 2,157 people alive at the present time with AIDS. Of these known cases, 246 were in contact with AIDS through infected blood or blood products; of these, 148 have already died.

I have contacted the Hamilton AIDS Network for Dialogue and Support, HANDS, to get the most recent information available. Most people know what the major risk factors are, but they do not know the percentage of adults who have AIDS as a result. I am reminding members of the House that 78% are related to homosexual or bisexual activity; 1% to intravenous drug use; 4% to both factors; 7% to heterosexual activity; 5% to no identified factor, and 5% are recipients of blood or blood products. It is the last group that this bill will assist.

The acquiring of the virus by exchange of blood may seem like a small number, but when you have a closer look at the data, a completely different picture starts to appear. While 2% of the male cases were infected through blood, 25% of females were infected in the same manner. With the predominance of women working in the health care field it shows that the spread of this deadly disease to women through their employment is substantial. This is an even higher percentage than the substantially high risk the intravenous drug user group has.

Using the 1989 figures, there are 436 people diagnosed with AIDS in Ontario. If 5% received the infection through exchange of blood, this means that there are 22 people in Ontario alive at the present time who are in this category

plus another 5%, or 22, who have yet to discover that they have been infected.

1110

Of course, over the past 10 years our knowledge of AIDS has increased, but there is still a substantial number of people who are continually being infected by coming into contact with tainted blood. The Canadian Red Cross Society began testing for the AIDS virus in November 1985 so one must remember that this may skew the early years of reporting, but that does not mean the government of this province must stop being vigilant in our attempts to control the spreading of AIDS. This is what Bill 147 will address.

Some of the workers who must receive this protection include health care workers, morgue attendants, embalmers, laboratory personnel, medical cleaning staff, police, firefighters, prison staff and schoolteachers.

Bill 147 sets out the drafting of regulations by the Lieutenant Governor in Council for such things as gloves, masks, clothing and precautionary equipment for health care workers and also prescribes sanitary measures to protect workers from coming into accidental contact with blood. Just the use of face shields, eye protection, double gloving, waterproof gowns, surgical masks and waterproof footwear will, according to most experts, almost reduce to nil the risk of surgical teams acquiring the virus.

In a discussion with the Hamilton branch of the Canadian Red Cross Society, I was told that it has policies in place that protect workers from coming into contact with high-risk groups and a reporting mechanism if any staff could be infected through the mishandling of blood. This type of health and safety precaution is what should be done by all employers whose staff may come into contact with blood.

This bill recognizes that it is time to look at the different ways that AIDS is being passed. I am still surprised that women are coming into contact with this virus in an almost completely different way from men. With the recent announcements by the Ministry of Health, this government's real attempts to stop the spreading of HIV show me the importance of this legislation.

In sections 3, 4 and 5 of this legislation key protections for workers are outlined. Section 3 reads: "No employer shall dismiss a health care worker who has contracted the virus if the only reason for dismissal is the contraction of the virus."

The subsequent sections guarantee workers who have contracted AIDS through their employment the right to remain at their duties as long as there is no danger to the public and fellow workers. This gives workers with AIDS rights for re-employment and also gives them access to alternative responsibilities with no loss in pay or benefits.

Workers in the province must have health and safety provisions to protect them from death or illness on the job and, at the very least, to give them support if they are infected. The present legislation makes it the responsibility of the workers to prove that they have received the virus during their employment. In some cases it may be many years before AIDS is diagnosed and it would almost be

impossible to relate it to an event that may just involve receiving a cut while working with tainted blood.

All our constituency offices that are involved with decisions by the Workers' Compensation Board know that proving continuity with some injuries can be very difficult. To suddenly test HIV positive and have to review employment history, remember duties as far back as three years and show that a specific event with unknown factors lead to the acquisition of the AIDS virus would be an almost impossible task for anyone. Health care workers must receive the benefit of the doubt, and therefore subsection (9b), as set out in subsection 7(1) of the bill, has been included. It is time that workers who could acquire the disease in this manner be recognized and also protected.

Passage of this bill gives health care workers needed guidelines for disposal of hazardous bodily fluids, prescribes sanitary measures in the workplace, defines safety equipment to be used by different classes of health care workers and gives coverage under the Workers' Compensation Act for those infected.

This bill, I hope, will help to remove the stigma that still exists in today's society on those who are HIV positive. The recent announcement by Mr Johnson has helped in some way to bring this issue to the forefront, but there is still more that has to be done and a lot more that has to be understood with respect to caring for those with AIDS.

Mr J. Wilson: On a point of order, Mr Speaker: I do not believe we have a quorum at this time.

The Acting Speaker (Mr Villeneuve) ordered the bells rung.

1116

The Acting Speaker (Mr Villeneuve): A quorum now is present. We continue debate on the motion on the floor. All three parties will have 15 minutes to participate in the debate.

Mrs Sullivan: I was very interested in reading the bill that is being put forward by the member for Wentworth East and I commend him, really, for his efforts to assist people in the health care field. Unfortunately I am concerned about specific aspects of the bill which I believe are misdirected and I will not be supporting the bill.

I do want to say, however, that I really think this is a useful piece of information to be brought forward. I believe there is considerable misunderstanding and misinformation in these fields and that an opportunity through a vehicle such as this to discuss these issues is important. I think people in the health care field and people in the community have concerns about some of the issues we will be discussing, and these are matters where a little bit of light frequently is useful.

There are two reasons that I will not be voting for this bill. The first is that there are established protocols in existence to utilize what are called universal precautions when handling blood and body fluids of all patients or residents, not just of those who are known or suspected to carry high-risk infections or diseases.

The second reason that I will not be supporting this piece of legislation relates to the recommendation with respect to the Workers' Compensation Board and its treatment

of health care workers. It seems to me that recommendation would require health care institutions, and particularly hospitals, to require HIV testing on staff before, during and at the time of the conclusion of their employment with that institution. I believe that is a highly problematic situation, one that we would not support under any circumstances. We do not believe that is an appropriate way of proceeding.

I would like to explore both these areas a little more thoroughly and talk about the past approach to infection control and disease control. We can recall that in the past—we have a doctor in the House and I know he will be familiar with many of these precautionary elements—to keep infections from spreading in health care facilities, workers used really two basic techniques which were routine and which were applied in virtually any health care setting. The first was the no-touch technique, which meant that dressings were applied with tongs, for example, and that scrupulous washing up was required. That was one technique.

The second was the isolation technique, which was used when a patient was known to carry or was suspected of carrying a specific disease. That technique was used particularly in instances such as smallpox or hepatitis. In hospital settings, patients may have been placed in an isolation ward. In the home, an entire premise could have been placed in quarantine.

More than 20 years ago, however, the Centers for Disease Control in Atlanta set out a system of category isolation for various groups of diseases, depending on how the diseases were spread. Some 10 years ago, those categories were changed to a disease-specific system. In 1985 a Canadian system of disease-specific isolation was introduced by Ottawa's Laboratory Centre for Disease Control. In all those systems there were specific precautions applied for diseases which were known to be transmitted by blood or body fluids.

While those systems were valuable for most situations where the disease was known or suspected, there were some quite specific drawbacks. The disease had to be correctly diagnosed. The timeliness of the diagnosis became a vital issue so that precautions would start quickly, and anyone who carried the disease had to have similar, recognizable symptoms so that the cases could be readily identified.

With some diseases, such as hepatitis B or HIV, those particular systems were less than useful. People with hepatitis B virus develop symptoms in only 50% of the cases and many carry the disease with no symptoms. An HIV infection is almost always without symptoms until the latter stages.

It was clear there was a need for new precautions and for new systems to be put into place. As a result, the Centers for Disease Control published new recommendations for the prevention of HIV transmission in health care settings. This document recommends that health care workers use universal blood and body fluid precautions, or universal precautions, with all patients.

Because those precautions relate specifically to the prevention of blood-borne diseases only, revisions were made to the universal precautions in 1988 and 1989 to provide

further definition of body fluids as those that may transmit blood-borne diseases. What was clear was that earlier infection control practices, the no-touch and isolation techniques, were to continue in place.

About three or four years ago, a new system of infection control precautions was introduced and is in fact in place in some cases in the body substance isolation system, the BSI as it is commonly known, which moves the emphasis from the diagnosis to the specific interaction between the health care worker and the patient.

There are no signs on the bed or doors of the patients who have communicable diseases. Instead, health care workers use barriers to avoid contact. We are familiar with those: the gloves, the masks, the goggles, the face shields, where moist body substances of all patients are protected from contact with the health care worker.

While the Centers for Disease Control has not yet endorsed BSI, many facilities, including several dentists' offices, have put those practices into effect. Once again, it is ideally a universal system, with all workers in direct contact with patients interacting with all patients in the same manner. Some Toronto hospitals have adopted the BSI system to meet their internal needs.

Under some of these circumstances, I think I should spend a little time to indicate that precautions for workers not directly in contact with the patient, such as laundry workers, orderlies and cleaning staff, have been similarly developed in laborious detail and to exacting standards and are in place in our institutions.

The current infection control principle is to treat all patients in a similar, safe manner, since all people infected with a disease cannot necessarily be identified.

The Public Hospitals Act requires our hospitals to pass bylaws that establish and provide for the operation of health surveillance programs, including a communicable disease surveillance program for all who carry on activities in a hospital setting. I just want to read from a note from the Ontario Hospital Association with respect to a particular disease:

"This program must, with respect to a particular communicable disease, include the tests and examinations set out in any applicable communicable disease surveillance protocol published jointly by the OHA and OMA for that disease and approved by the Minister of Health."

Clearly, there is already an interaction with the Ministry of Health in place.

As we move from institutionally based care to community-based care, it is clear that specific disease prevention protocols will have to be put into place for health care workers in non-traditional sites. The Ministry of Health, I believe, should be identifying those protocols through consultation with practitioners and others. This particular bill that is being put forward is not the vehicle for doing that.

I know my colleague has important things to add to this debate. As I indicated, I certainly will not be supporting this bill, although I am pleased that some of the issues have been raised and put on the table so that there can be some public discussion of the issues.

Mr J. Wilson: I am pleased to spend a few moments this morning speaking on Bill 147, An Act to Protect

Health Care Workers from the Transmission of the Human Immunodeficiency Virus, or HIV, put forward by the member for Wentworth East.

I should say at the beginning that Bill 147 should be commended for its attempt to assist health care workers who contract the deadly HIV or AIDS virus in the workplace. I believe this bill is similar to private member's Bill 68, which received second reading in this House last April, put forward by the member for Simcoe Centre. That bill sought to amend the Workers' Compensation Act to compensate workers who contract a blood-borne disease while in the workplace.

The intent of Bill 147 has a great deal of merit as we struggle in Ontario and around the world to balance the civil rights of people living with HIV and AIDS with the whole issue of public health. As I recall, back in April the member for Simcoe Centre said there were about 200 reported cases of occupational exposure to HIV. He also mentioned at that time that the risk of a health care worker contracting HIV from blood products was up about 0.9%. However, Bill 147, which is designed to assist health care workers who contract HIV in the workplace, may create more problems than it actually solves.

For the following reasons, my caucus colleagues and I join with the Liberal Party, which is a rare thing indeed, in not being able to support this piece of legislation this morning:

The Ontario Hospital Association feels this legislation will create many problems both for employers and the employees or workers that this legislation is designed to protect and help. It is clear that Bill 147 seeks to preserve employment for HIV-infected workers, but what has not been made clear is that while this bill protects an HIV-infected person's right to work, the language and intent of the bill will serve to violate other critical rights of workers.

The following is a quote from the Ontario Hospital Association in a letter dated November 6. It was addressed to the member for Simcoe Centre, who is also the parliamentary assistant to the Minister of Health. The Ontario Hospital Association says:

"We have very serious concerns that this could lead in many instances to employers deciding that the only way to limit their liability would be through testing employees before, during and at the termination of their employment. This would be contrary to both the blood-borne surveillance protocol for Ontario hospitals and other surveillance protocols for Ontario hospitals. These protocols explicitly reject the use of testing and screening of staff, yet despite their presence hospitals may be forced to contravene them should your bill"—referring at that time to Bill 68—"be enacted."

Section 7 of Bill 147 would amend section 122 of the Workers' Compensation Act to read:

"If the worker contracted the human immunodeficiency virus and at or before the date of the disablement was engaged as a health care worker, the virus shall be deemed to have been due to the nature of that employment unless the contrary is proved."

1130

As a result, the onus of proof on whether or not a health care worker contracts the HIV in the workplace falls upon the employer. The consequence is that employers will be forced to implement mandatory AIDS testing as a means to monitor whether or not HIV is contracted in the workplace. In order to protect themselves, employers may be forced to factor in lifestyles in determining whether or not to hire an employee, and the result of this could be discriminatory hiring practices by employers. I do not think that was the intention of this bill, but it would be one of the consequences of this bill.

I will also give another quote from the Ontario Hospital Association regarding section 7 of Bill 147:

"We fear the result of this would be that health care employers would begin to screen staff before, during and after employment in order to prove the infection did not result from employment. Employers might also seek to learn about confidential lifestyle factors that would put the employee at risk for HIV infection outside of the job."

In order to protect health care workers, Bill 147 could prevent numerous workers from ever gaining employment in the first place, and I think that would be sad.

Another concern about Bill 147 centres around sections 2 and 6. These sections both deal with universal blood and bodily fluid precautions. The member for Wentworth East should be aware that his bill attempts to legislate something that is extremely difficult to legislate, and that is professional judgement. Enacting Bill 147 runs the risk of pre-empting the work done by the Ministry of Health in this regard. The ministry has spent almost two years developing a position paper outlining and defining its support for universal blood and bodily fluid precautions. By enacting Bill 147, the government would be putting the cart before the horse.

The OHA in a letter also concurs with this: "Putting this proposed legislation into place and drawing up the sorts of regulations suggested in section 6 may lead to conflicts between the Ministry of Health and Labour, and confusion on the part of health care workers and employers."

In the United States, their hospital association has struggled with this sort of legislation for several years and has yet to reach agreement on the kinds of protective practices and equipment that should be required by law.

Another problem with sections 2 and 6 is that no one, not even the centre for disease control, has been able to come up with specific lists of precautions, circumstances and the precautionary equipment needed. The OHA recommendation regarding sections 2 and 6 is, "We think these sections should either be omitted altogether or else a simple reference made to the Ministry of Health document and/or recommended standards of practice published by the Laboratory Centre for Disease Control in Ottawa."

Section 4 of Bill 147 is also fraught with difficulties. Subsection 4(1) reads:

"If a health care worker contracts the virus in the course of his or her employment, the worker is entitled to continue working at his or her position and fulfilling all of the duties and responsibilities inherent to that position as

long as those duties and responsibilities do not endanger the safety of the public or of his or her fellow workers."

Subsection 4(2) reads:

"If a worker cannot continue with all or part of his or her responsibilities without endangering the safety of the public or of his or her fellow workers, the employer shall assign to the worker alternative responsibilities that are similar to the worker's regular responsibilities, that require similar qualifications and that have the same salary and benefits."

Once again, while the intent and compassion are commendable, they are not grounded in practical reality. Workers who contract the AIDS virus will put their own lives in danger by continuing to carry out the demanding duties of health care workers. Section 4 does not consider the health and safety of the infected worker whose determination to stay at his job may place health care workers with an impaired immune system at risk.

Going back to section 7, this bill seems to mirror Bill 68 in its attempt to amend the Workers' Compensation Act. I was pleased back in April to join the debate on Bill 68 and I want to reiterate what I said then and relate it to Bill 147 today. Section 7 of Bill 147 is redundant. For example, as is the current practice of the Workers' Compensation Board, if the WCB receives a claim from a health care worker who pricks himself and who is handling blood, the board will handle the costs for the HIV testing. Also, the board takes it upon itself now to do its own investigation into the incident. The bottom line is that workers who contract HIV, be they in the health care professions or otherwise, are taken care of and there is no need for new amending legislation.

Subsections 122(9) and (9a) of the Workers' Compensation Act set out the structure for compensation for employees who contract HIV in the workplace. Subsection 122(16) of the act already gives the Workers' Compensation Board the power to do so. I will quote that section:

"The board, subject to the approval of the Lieutenant Governor in Council, may declare any disease to be an industrial disease and may amend schedule 3 or 4 accordingly."

So it is already possible and is in fact the practice of the Workers' Compensation Board to handle people, including health care workers, who are infected with HIV at their place of work.

It is ironic that a member of the NDP government has chosen to table this, which could be termed a humane and compassionate bill, during the same week the Minister of Health closed the door on assistance for some 375 haemophiliacs in Ontario who contracted HIV through Ontario's blood supply in and around the year 1985.

On Tuesday of this week, in this chamber, I asked the minister a very pointed question as to whether she would compensate those 375 haemophiliacs who are living with HIV, many of whom have developed AIDS and some 55 of whom have died. Many of those, unfortunately, were children. The minister gave, I thought, a rather inhumane, static and legal response, claiming that the government had already discussed this issue with other provincial ministers of health and that they have all agreed their governments do not have any legal culpability in terms of taking respon-

sibility for the blood supply when we were not screening the blood supply in Canada and in Ontario for HIV. We were not screening it properly, and for a short period of time in the mid 1980s were not ensuring the safety of that blood supply to the best of our ability.

It is interesting to note that from 1987, and the decision was finally announced in December 1989, the federal government did take responsibility and did set out a compensation package for haemophiliacs in Ontario who had contracted HIV through the blood supply. I think there is a legal culpability on the part of this government.

There is a case—it is in the Toronto Star today—where a lady out west contracted HIV and eventually full-blown AIDS through the procedure of in vitro fertilization. The courts just awarded her over \$800,000 and explicitly said that there is legal culpability in this case in terms of the doctor not fully taking precautions to ensure the lady would not contract HIV.

There is also the case I mentioned on Tuesday where a six-year-old boy in Australia was forced to take the Australian government to court to get the government to live up to its responsibility for the purity of the Australian blood supply. The end result was that the six-year-old boy was awarded \$800,000, but he and his supporters were forced to come up with some \$15 million in legal costs, which the government eventually absorbed. That government, based on the fact that the courts ruled in favour of the little boy, must now settle with other haemophiliacs who contracted HIV through the blood supply in Australia.

I cannot send a clearer message to the government. I strongly feel, contrary to what the minister told me in this chamber on Tuesday, that the government has a share of responsibility because it is a voting member of the Canadian Blood Committee, which has responsibility for screening blood products in Canada and that it shares in a responsibility that has already been admitted by the federal government, and that the expensive route is the route the government has now chosen to take. There are 18 cases launched this week naming the provincial government, among others, as having a responsibility in this matter, and unfortunately the government has taken the expensive route of forcing this matter to the courts.

I suggested on Tuesday and strongly believe that the fiscally responsible thing for this government to do would be to settle now with the haemophiliacs infected with HIV rather than go through an expensive court challenge, but it is a decision the government has taken and a decision it will have to live with.

As I conclude my remarks, it is ironic that the member for Wentworth East and the member for Simcoe Centre, the parliamentary assistant to the Minister of Health, agree in this legislation and in Bill 68 that was brought forth in April that people who contract HIV through the workplace should be included under the compensation program provided by the Workers' Compensation Board, but this same government, on exactly the same principle, on exactly the same type of case, refuses to acknowledge responsibility and bring forward a compensation package for haemophiliacs in Ontario who, through no fault of their own of course, simply placed their faith in our blood supply and in

our health care system, were let down and mistakes were made. This government has some responsibility. I find it ironic that we see legislation here today where they feel certain workers should receive that compensation but haemophiliacs should not.

1140

Mr Mills: I am pleased to rise and speak to Bill 147, An Act to Protect Health Care Workers from the Transmission of the Human Immunodeficiency Virus, that has been introduced by my colleague the member for Wentworth East.

There is nothing that strikes more fear in health care workers than the possibility of their contracting HIV. This fear is really the thrust of Bill 147. The risk of occupational transmission of the AIDS virus concerns health care workers all across Ontario. The member's bill touches on a very sensitive issue. I commend him for bringing this forward in all its sensitivity.

However, I have some concerns about certain parts of the bill. My first concern deals with section 1, which defines a "health care worker" as "any worker or professional who, in the normal course of their employment, may come into contact with hazardous bodily fluids."

On these lines I would like to speak to public safety workers such as the firefighters. Firefighters' exposure to infectious diseases is a major reason why firefighting is one of the world's most dangerous professions. Firefighters often suffer injuries and cuts and must help victims who have also been injured and may also be bleeding.

As things now stand, firefighters in Ontario cannot find out if a person they have treated carries an infectious disease such as AIDS. I believe that firefighters should have the right to know this information. This should be done not only for the protection of the firefighters' health and safety, but for the safety of the public as well.

I realize some people may be concerned that the privacy rights of an AIDS victim could be violated. I do not believe this would necessarily have to happen. In the United States, Congress has passed legislation that creates a fair balance between the privacy rights of an AIDS victim and a firefighter's right to know. Under the United States legislation, firefighters can find out if they have been exposed to an infectious disease while treating a fire or accident victim. This law does not jeopardize an individual's right to privacy, because all the medical information is kept strictly confidential. The Provincial Federation of Ontario Firefighters likes the United States legislation and wants the province to amend the Health Protection and Promotion Act and the Freedom of Information and Protection of Privacy Act.

That is my first concern, that the member's bill does not cover emergency workers such as firefighters.

My second concern deals with subsection 4(2) of the bill, which says that a worker who contracts the AIDS virus and cannot continue his or her job without posing a risk to the public shall be assigned alternative but equal responsibilities.

I have no problem with the basic thrust of this section of the bill. In fact, I agree completely with my colleague

the member for Wentworth East that the jobs of health care workers must be protected if they contract the AIDS virus. Doing anything less or otherwise would be discriminatory and totally unacceptable.

However, the wording of that section of the bill in my opinion opens up a Pandora's box. For example, the bill does not explain how a health care worker would know if he or she is carrying the AIDS virus. This is important because people can carry and spread the human immunodeficiency virus even if they have not developed full-blown AIDS. I bring this up because it has implications for civil liberties. In the United States, legislators are currently grappling with the issue of mandatory testing for health care workers. That debate came about after a 22-year-old Florida woman developed the AIDS virus after being infected by her dentist.

The Florida case illustrates the complexity of the issue. How do we balance the privacy rights of health care workers with the public's right to know? I do not know the answer, but I think the member for Wentworth East should be aware that his bill cannot be discussed without dealing with that question.

Those are two of the concerns I have regarding Bill 147. The member is thanking me. He did not know what I was going to say. Once again I would like to thank him for having the courage to bring this bill forward. It really is commendable. The health and labour issues he raises are important and, at the same time, very controversial. Once again I commend the member, but I have some difficulty with it even though he is a colleague and a friend of mine.

Mr Curling: I want to thank the member for Wentworth East for giving me the opportunity to speak on Bill 147. While I know that the intention of the member for Wentworth East is honourable and well intended, I find this bill a bit hurried, as his colleague just stated. My colleagues the member for Halton Centre and the member for Simcoe West also stated that somehow the bill lacks details and has many redundancies.

When we talk about redundancies, there are many sections of this bill that have already been taken into account in the Ontario Human Rights Commission, which handles the fact of rights at work. Here it is again being mentioned.

I know I do not have a lot of time. I think what the bill is lacking is proper enforcement in place in this province. What we also have, most important, is lack of education.

Because I do not have a lot of time, I will quickly talk about education and read something that was directed to the Solicitor General at that time, the member for Cambridge, by Gordon Youngman, a consultant, specifically in regard to a case in the Solicitor General's area, the Centre of Forensic Sciences. I will read a section of his letter. He is talking about the delay in the Gligor case that the Centre of Forensic Sciences had not proceeded with.

"The information regarding the transmission has not changed over the years since the discovery of the HIV virus almost 10 years ago. Health authorities around the world, but in particular the World Health Organization, the International Labour Office, the League of Red Cross and Red Crescent Societies and the Centers for Disease Control in Atlanta have issued very detailed guidelines known

as Universal Precautions when dealing with body fluids and HIV.

"These guidelines also apply to other blood-borne diseases such as hepatitis A and B. These guidelines apply both to those individuals who are alive and to those that have died. The number of infected health care workers in North America is less than 10% and those that are infected were as a result of"—I would like the member to listen carefully to this—"needle stick injuries because there was a breakdown in the use of the prescribed precautions." It talks about education and understanding of this disease.

1150

"There is a need"—this is the emphasis—"for clear, specific, factual messages regarding the transmission of HIV that have greater applicability and relevance to people's lives and concerns...." This government and the governments of Ontario in the past have spent thousands of dollars to educate people about HIV. It seems to me the government members lack that education and lack that information. Specifically the Ministry of the Solicitor General seems to lack that in giving proper direction especially to areas in the Centre of Forensic Sciences.

As a matter of fact, at the moment there are about 700 backlog cases that have not been investigated because of fear of contracting this HIV disease, although it has been stated that the disease itself does not live very long outside the body after death. People have been generally aware of the modes of transmission but they are less aware of how to protect themselves. I think the amount of money that has been spent in the past has somehow not been effective. I would encourage the member to emphasize the fact of education and things that are in place there and not to duplicate the issue all over again.

Joan Burton from the health and safety association wrote in respect of this bill itself: "We strongly support the intention of this bill, but think that the proposed bill will create many problems for both employers and workers." This has been said not only by my colleague the member for Halton Centre but also by my colleague the member for Simcoe West.

I would encourage the member Wentworth East, although his bill is well-intended, to encourage his colleagues in the ministry to go back and visit much of that legislation and visit the areas in which we can have better enforcement. I think it will then be quite unnecessary to introduce this bill. I had hoped, if I had more time, to elaborate.

Mr Kormos: It should come as no surprise that I stand in support of my colleague's bill today. I am not about to engage in criticism of it because rather than criticism it warrants some sound understanding of exactly what happens here on Thursday mornings. This is private members' morning. Sometimes there are not the numbers of people sitting in the Legislature we would want on Thursday mornings, but members of this assembly, all 130 of them—excluding you, Mr Speaker, because you of course are non-partisan and removed from the political fray. As people who watch this know, on Thursday mornings private members get an opportunity to present either resolutions or bills without the restraint that is so often

imposed on government members and government bills. This is an interesting part of the week. I particularly enjoy Thursday mornings because of the nature of the matters that are put forward and the types of debates that are conducted.

I am happy this morning to see that not only are people watching on television but people are here in the Legislature. We have visitors. We should say hello to young Warner Yorgason and Brandon Yorgason, both of them here with their parents, exercising their right to sit in this Legislature and observe what is going on either critically or fondly, however they wish, along with the persons sitting up in the visitors' gallery. It is their right.

I quite frankly wish that more people would exercise that right. This building belongs to the people of Ontario. The sooner the people of Ontario recognize that, appreciate it and understand it, like I am sure Warner and Brandon and their parents do, the better off this province is going to be. I tell members right now that we should be telling people in the province of Ontario to get here to Queen's Park and to use the building, to use the government that indeed is theirs.

The Acting Speaker (Mr Villeneuve): I would like to remind the honourable member we are discussing ballot item 46.

Mr Kormos: Of course we are, Mr Speaker, and we are going to keep discussing it for several more minutes.

So that is an important part of Thursday morning. I am also fortunate to be able to speak to this matter today because, among other things, it marks the end of our legislative week here at Queen's Park and it also marks the end of the term of this most recent group of pages, the young women and men from across this province who have served us for the last several weeks: people like young Jay Banerjee from Scarborough East and Janye Lee from Don Mills, just two of the pages among a whole bunch of them who have performed so well.

These are young people who have learned over the last several weeks some of the shortcomings of the members of this assembly. They have observed them. They have seen them live and in the flesh—that is the shortcomings—but I trust they have also acquired a sense of what it means to be a member of this assembly. I trust some of them aspire to sit here in these very seats and that they have learned already that if you are going to be sitting here it is far nicer down in the front row than it is up at the back. It is far nicer closer to the middle than it is closer to the exit doors. There are 130 of us and there are 130 desks, one for each and every one of us. All of us, as members of the Legislative Assembly, have the right and indeed the obligation to speak out on legislation that is presented.

Here we have a bill, and it is no surprise to me that it comes from my colleague the member for Wentworth East. Here is a young man who has served his riding oh so well over the last year and few months. Here is a member whose riding can and should be very proud of because he has been outspoken on issues that have come before the Legislature. The member for Wentworth East has had the courage to stand up and speak about things that others have remained silent on. He has had the courage to be

critical when criticism is warranted even on things some take for granted. He has the courage to come forward with a private member's bill that, as has already been noted, has as a part of its nature some very controversial aspects.

There has been something happening with private members' bills not just over the last several months but over the last couple of years. I recall fondly the first, and so far only, time I had been given an opportunity to present my own matters during private members' morning. That was back when I was a member of the opposition sitting among the 19 of us. The members should remember there were only 19 of us.

I presented a resolution at that time which was debated vigorously. It was a resolution that called for the provision of syringes to diabetic seniors, recognizing that the syringe is an integral part of administering the insulin. Seniors should be entitled, and, by God, I do not look forward to the day and I will fight the day when we refuse or when we fail to provide pharmaceutical drugs for seniors under the Drug Benefit Formulary or when we impose such unacceptable things as user-pay schemes.

But recognizing that a syringe is an integral part of the process of administering insulin, I felt it was my responsibility, having been spoken to by so many constituents and persons who are not from my riding from across Ontario who felt it was important, I raised it in the Legislature. Although some time has passed, members will note that the Minister of Health has announced that syringes will now be available to seniors who have the illness of diabetes so that they can administer the insulin. That is a good thing. That means that this private members' morning works. It works for members of the opposition.

1200

The member for London North, whom I respect a great deal, presented as a private member's bill her legislation dealing with helmets for cyclists. That was not only supported but now is in committee being discussed. We are hearing from participants across the province who have things to say about that legislation, and it will unfold as it should.

It is strange that members of the opposition would be concerned about the fact that this protects workers. It comes again as no surprise to me. The member for Wentworth East comes from the workplace to this Legislature. He spent his working life fighting for the rights and interests of working women and men, so it is to be expected that he comes to this assembly with legislation that protects workers.

This legislation warrants the support of every member of this Legislative Assembly. It does not deserve the petty criticism that has been cast towards it when in fact we are talking about second reading. What the member for Wentworth East's private member's bill deserves is to be passed so that it can go to committee for that refinement, that discussion and that debate that is so important. To do anything less is to neglect our responsibilities as legislators. I say we should be supporting this legislation and supporting it vigorously.

Mr Morrow: That is really hard to follow. In wrapup, there are some agencies I would like to thank for all the work they have given me and the research done.

I would like to thank the Toronto board of health for all the advice it has given me, and especially Anne Moon, who is a member of the board. I would like to thank the Hamilton AIDS Network for Dialogue and Support for all the research it has done. I would like to thank the Hamilton branch of the Red Cross, because without it this would not have happened. There are other individuals, especially Chris, Heidi and Bob, and a man by the name of Doug Decker who went out of his way for the last week to really make sure I would be presenting this this morning.

Mr Curling: Bob Rae.

Mr Morrow: Sure, I will thank the Premier, there is no problem. I will thank the member for Welland-Thorold and I will also thank every other speaker who spoke on this this morning. Their criticisms and their support go a long way. I would also ask that everybody in the House support this.

I will tell the member for Halton Centre though that when Bill 68 did come up, hepatitis B was a part of that bill and I did speak to that, just so she knows so that might jog her memory. I think that is all I have to say on this, although again I would ask that everybody do support this bill.

PORNOGRAPHY

The House divided on Mrs Marland's motion, which was agreed to on the following vote:

Ayes—35

Brown, Caplan, Carr, Cooper, Coppen, Cunningham, Curling, Dadamo, Frankford, Hansen, Haslam, Hope, Jamison, Jordan, Kormos, Lessard, Marland, Martin, McLean, Mills, Morrow, Murdoch, B., Owens, Perruzza, Poirier, Runciman, Sterling, Sullivan, Ward, B., Ward, M., Waters, White, Wilson, G., Wilson, J., Witmer.

Nays—0

HEALTH CARE WORKERS' PROTECTION ACT, 1991 LOI DE 1991 SUR LA PROTECTION DES TRAVAILLEURS DE LA SANTÉ

The House divided on Mr Morrow's motion for second reading of Bill 147, which was agreed to on the following vote:

Ayes—19

Cooper, Coppen, Dadamo, Frankford, Hansen, Hope, Jamison, Kormos, Lessard, Martin, Mills, Morrow, Owens, Perruzza, Ward, B., Ward, M., Waters, White, Wilson, G.

Nays—16

Brown, Caplan, Carr, Cunningham, Curling, Haslam, Jordan, Marland, McLean, Murdoch, B., Poirier, Runciman, Sterling, Sullivan, Wilson, J., Witmer.

Mr Perruzza: On a point of order, Mr Speaker: I would like to have a bit of a clarification from you. When you asked for the voice vote on the member for Mississauga

South's motion, I noted, because I was very close to the member for Leeds-Grenville, that he voted against the motion in his voice vote but when you asked for the standing vote he voted in favour. He voted both ways.

The Acting Speaker (Mr Villeneuve): That is not a point of order. The members are allowed to vote as they please.

Mr J. Wilson: On a similar point of order that I hope you will rule in favour of, Mr Speaker: I note that the member for Durham East in his remarks opposed the member for Mississauga South's resolution.

The Acting Speaker (Mr Villeneuve): That is not a point of order.

The House recessed at 1216.

AFTERNOON SITTING

The House resumed at 1330.

MEMBERS' STATEMENTS

RENT REGULATION

Mr Brown: It is disgusting that during the middle of a recession, during a time of unprecedented tax increases and government deficits, the NDP government should decide to put people in the housing industry out of work with Bill 121.

We have heard that 16,000 people were put out of work by Bill 4 and that 24,000 jobs are put at risk by Bill 121. This morning hundreds of people crowded the front steps of the Legislature to ask how long they would have to wait to put the Premier out of work.

The crowd heard from John Makuch, whose concrete restoration business died after the NDP brought in Bill 4. He told the crowd he used to have 50 employees, but under the NDP he now has 10. Concrete restoration is an example of necessary maintenance that needs to be done to keep apartments safe. We are not talking about gold-plated lobbies; we are talking about basic maintenance work the NDP is disallowing, forcing tenants' homes to become slums.

Landlords, tenants and construction workers all demanded changes to Bill 121 during the public hearings last fall, but the government has failed to listen in its amendments to the bill.

The Liberal caucus will be putting forward our amendments to make Bill 121 fairer to landlords and tenants and to bring back the necessary maintenance work and jobs destroyed by the NDP. We call upon the government to support our proposals and put fairness and security back into the rent laws of this province.

LAND USE PLANNING

Mr B. Murdoch: I would like to advise the Minister of Municipal Affairs and the Minister of the Environment today that their original land use directive is not in tune with the views and the needs of the people of Grey. This was made very clear in last week's municipal elections. Voters elected candidates who believe, as they do, that the land they bought and pay taxes on belongs to them and not to some nameless, faceless bureaucrat in Toronto.

The ministers should examine these results and try to understand the reality of the situation, rather than relying on the Owen Sound Sun Times and the 50 or so malcontents who signed a petition opposing Grey county's policies for the sum total of their knowledge on this subject. The Sun Times and these objectors have led the ministers astray by giving them false and misleading information.

The paper has done the ministers and the people of Grey a serious disservice. In my view, because of the harm they have done and continue to do to the community, the editorial writers ought to tender their resignations, as they do not reflect the views of those they purport to serve. Failing that, they should at least apologize to the people and the elected officials of Grey.

The ministers must begin to depend on more than their few unreliable sources and actually consult with the local officials. By doing this, they should find that they will receive far more co-operation than they are presently getting.

UNITED WAY CAMPAIGN

Mr Dadamo: I am pleased to inform the members of this Legislature that the citizens of Windsor and Essex county have proven themselves one more time. I am pleased to announce, as it was last Friday evening in Windsor at the Cleary International Centre, the raising of over \$7 million by the most giving and sharing people in all of Canada. In the last three years, the organizers of the United Way in Windsor have kept a target of \$7 million.

The real heroes are all those who gave to the United Way unselfishly even during recessionary times. And how about the hundreds of volunteers who door-knocked and solicited company employees? All those people who gave their time and money merit much applause and praise.

David Armour, area executive director for the United Way, all the labour locals in Windsor and Essex county, as well as business should be applauded for their efforts in yet another accomplished campaign.

A recent survey found that 71% of Canadians volunteered in the past year. That is up from 59% in 1987.

In closing, on behalf of the members for Windsor-Riverside and Windsor-Walkerville and the member for Essex-Kent, I say congratulations to those who worked on the United Way campaign in Windsor and Essex county.

INVESTIGATION INTO POLICE SHOOTINGS

Mr Curling: Police investigating police: I can remember a time not long ago when this would have troubled the NDP. "An outrage," they would have shouted then, "A mockery of justice."

The Premier said that police investigating police was wrong, period. "The independence of the process is critical," he said after the Donaldson shooting. Cynical opportunism? Grandstanding? Or did the NDP truly believe that police should not investigate shootings by their fellow officers? That is what is happening right now. It is happening despite a new law which was designed expressly to prevent it.

The NDP government has allowed the special investigations unit to become a sham, a smokescreen behind which police can investigate alleged criminal acts by members of their own force. This is worse than the previous system, which at least had members of another force carrying out the investigation. Police confidence in the ability of the special investigations unit to conduct an independent investigation into police shootings has been undermined because of a private arrangement between the Ministry of the Solicitor General, the SIU and the police chiefs of Ontario.

The damage done by this Solicitor General is irreparable. What needs to be done now is clear: Revoke this made-behind-closed-doors deal and remove the agency

from the Ministry of the Solicitor General, recreating it as a truly independent civilian body with the resources it needs to fulfil its mandate to investigate police shootings independent of outside interference.

COUNTY RESTRUCTURING

Mr J. Wilson: On numerous occasions the member for Simcoe East and I have raised in this Legislature the concerns and resentments held by ratepayers in Simcoe county regarding the plan to restructure their county by amalgamating municipalities.

Simcoe county taxpayers voiced their hostility to restructuring in a loud and forceful manner during the recent municipal elections. Two municipalities in my riding put the issue of restructuring on their election ballots. In Sunnidale township, a staggering 94% of ratepayers voted no to restructuring. In Nottawasaga township, 85% turned thumbs down on restructuring.

There is a lesson in this for all elected members of this Legislature. Several local politicians who supported the restructuring study did so against the wishes of the electorate and suffered dearly at the polls.

On Monday my colleague the member for Simcoe East and I will be meeting with the Minister of Municipal Affairs. We intend to bring to the minister the results from last week's municipal elections and the very real concerns of a great many Simcoe county taxpayers who oppose restructuring and who are frustrated because politicians refuse to listen their concerns. We will ask the minister to put the issue of restructuring on hold for a period of five years so we can have some time to evaluate the amalgamation that has already been forced on the south end of the county. I hope the minister will take to heart the lessons learned in last week's election.

Also, the November 12 elections produced a new name for the amalgamated town of Alliston, Beeton, Tecumseth and Tottenham. I wish to inform all members that the name of the new town is New Tecumseth.

PURCHASE OF PAPER MILL

Mr Wood: Today is the day the people of Kapuskasing and the employees of Spruce Falls were given to come up with the money to have an employee-owned paper mill. In June the people pledged over \$13 million for the mill. Despite the economic situation in northern Ontario, I am pleased that the communities have not only reached their pledged goal but have surpassed it. Over the three-week campaign, 980 employees have given \$9.85 million and 470 non-mill employees have contributed \$4.79 million. Together, over \$14 million was raised to buy Spruce Falls.

This effort reflects my constituents' strong belief that their company will survive, given all of today's economic pressures. With everyone working together, almost anything is possible.

All stakeholders—the people in Kapuskasing and the surrounding areas, the government and Tembec—are to be commended in making this sale a success. It is an indication of what can be done when all parties co-operate in a common goal. With this pledge, the people of Kapuskasing show their belief and courage to contribute to the eco-

nomie wellbeing of their communities. I again would like to express my admiration and congratulations for their support to make this employee buyout worth while.

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ATTENDANCE OF PREMIER

Mr Phillips: I am going to do something unusual and compliment the Premier. I would prefer, of course, to say it to the Premier's face, but a person of his importance cannot be spending time here in the Legislature. Fortunately I am told someone on his staff does review Hansard. It would be my hope they might pass on these comments to the Premier.

My comment I think shows the human side of the Premier. Apparently the Treasurer had planned an onerous two-week trip to France, England and Germany, but as soon as the Premier heard of the \$2-billion shortfall in revenue, he spotted an opportunity to give one of his cabinet a chance to showcase himself and get some real publicity. In a typically unselfish move, the Premier said to the Treasurer, "I'll do the two-week tour and you can have the spotlight." While the Premier endured cold rides down the Thames, the pressure of a grilling at his old college and having to sit through a long dinner with Labour Party candidates, the Treasurer was able to get lots of publicity.

What a comfort this must be to the rest of the cabinet, to know that the Premier will not steal the limelight. If a hospital has to close, the Minister of Health can be assured that she will have the full limelight. When an environmental crisis hits, the Minister of the Environment knows she will be able to get full credit.

As we look skyward, with the Premier's plane from England circling, just awaiting the end of question period, I hope all of us will celebrate the human side of the Premier that has been so graphically displayed in the past two weeks.

LABOUR LEGISLATION

Mr Tilson: Many businesses in my community have suffered the effects of the recession. They have had to downsize, go out of business or flee to the United States. The businesses that have managed to stay afloat should now be looking ahead to a brighter future as we slowly start to see a turnaround in the economy, but they are not.

The government's proposed changes to the labour laws have small businesses more frightened than ever before, and I would like the Minister of Labour to pay close attention to the comments I am sure are coming to him and other members of his government from constituents around this province.

A constituent of mine writes the following letter:

"My response to increased union and/or government involvement in the day-to-day operations of my business will be to downsize it to two employees, my wife and I. Unfortunately, 48 highly motivated and productive employees who have never indicated a need or want for union help will be job-hunting."

Who knows better how the minister's proposals will affect business than business owners? Their fears and

promises of shutting down or leaving Ontario are real, and I hope to God the minister is listening.

EARTH DAY

Mr Christopherson: I rise today to inform members of a bill that will be debated in this House on December 5, 1991. My private member's bill would designate every April 22 as Earth Day. Its purpose would be to encourage participation in community, provincial, national and international activities that share a common purpose with the activities organized by the Earth Day movement.

As members know, Earth Day promotes and celebrates individual environmental action, and in 1991 some 700 organizations, 3,000 organizers and two million individuals in Canada co-ordinated or participated directly in Earth Day.

Positive environmental action begins at home. Each one of us has the ability to make a difference in maintaining and improving our community's, our nation's and our planet's ecological health. It is important to realize that this goal can be reached in manageable increments and that gradual changes in lifestyle will ultimately lead to a better quality of life for us as individuals and, as important, a sustainable global environment.

I believe enactment of this bill would be a small but important step in providing leadership on perhaps the most important issue facing us all. I invite and urge all members of the House to support this bill.

Mr Sorbara: Mr Speaker, just a brief point of order before we move to the next order of business: The point of order actually arises out of the orders of the day which I see here on my desk. I notice the government has placed some 25 orders in Orders and Notices today. It seems to me that under those circumstances, the Solicitor General may have inadvertently not only misled this House but misled the public as well. I heard him quoted this morning on the radio saying that Bill 115, which is going to allow the stores to stay open in December but make sure they stay closed the rest of the year in respect of Sundays, was going to be law as of today, that we were to be debating that bill for third reading in the House today and completing our deliberations.

There are a number of people in our caucus who are prepared to do that. I, as whip of the standing committee on administration of justice and one of the spokespeople on that bill, am prepared to debate that matter today. Apparently the Solicitor General suggested that it would be law today. I cannot see how the government House leader, the member for Windsor-Riverside, could possibly have expected us to deal with that matter, with the number of speakers who intend to speak on that bill, when he put some 24 orders on the Orders and Notices paper before consideration of Bill 115. I invite the Solicitor General—

The Speaker: Would the member take his seat, please. The member may know that he does not have a point of order. Following routine proceedings, the Speaker will call for orders of the day and at that point the government House leader will announce which order is to be followed.

Mr Bradley: On a brief point of order, Mr Speaker: We in the official opposition are prepared to delay the start of the session this afternoon so that the Minister of Agriculture and Food can make the statement he is making outside the House at this very moment.

The Speaker: The member for St Catharines has indeed a point of interest but not one of order. It is time for oral questions.

Mrs Caplan: On a point of order, Mr Speaker: As question period is about to begin, there are virtually no cabinet members of substance, with the exception of the Treasurer; none of the important members.

The Speaker: Would the member take her seat, please. The member for Oriole will know that she does not have a point of order. There is nothing in the standing orders to compel the attendance of any member of the assembly.

ORAL QUESTIONS

TAX INCREASES

Mr Elston: I have a question of my favourite storyteller, the Treasurer. The last instalment was given by this gentleman just this week, actually given here in a second phase of an announcement which he made earlier. What the Treasurer did not say is more important than what he did say. He has indicated that he will be raising provincial taxes. He has indicated he is going to stick to his deficit plan by way of ensuring fewer dollars being made available to people who are working in municipalities and school boards. Can the Treasurer confirm that what he has actually announced is not only provincial tax increases but an obligation by municipalities and school boards to raise their levies as well so that they can maintain their services?

Hon Mr Laughren: I am not sure I understood the last part of the question.

Mr Elston: Are they going to have to raise taxes to deliver the services?

Hon Mr Laughren: Oh, I see. I now understand the last part of the question by the former interim leader, the former interim leader who assured us all he would never run for permanent leader, but I will not dwell on that matter.

What I did say was that we know that next year the fiscal situation in which we will undoubtedly find ourselves is going to be very difficult. If there is one message—not just some message but one message with about three parts—I have received from the official opposition it is that (a) it wants us to maintain our expenditure programs, (b) it does not want any new taxes and (c) it does not want us to allow the deficit to go any higher. Having said that, all I can assure the member opposite of is that we will do what we can, in as creative a balancing act as possible, to make sure we do indeed carry out the wishes of the member opposite.

Mr Elston: That was not my question. Did the Treasurer not say, by way of his announcement last week and again this week, that municipalities and school boards would require an increase in their taxes to maintain their services?

Hon Mr Laughren: What I have been trying to signal to everybody across the province, including those people who are known as our transfer partners—school boards, hospitals, municipalities, colleges and universities—is that everyone is going to have to work together to try to cope with this very severe recession we are in. When the transfer announcement is made for funding next year for our transfer partners, that transfer announcement will contain a very small number. I think everyone understands that inflation is going to be considerably lower next year than it is this year and we simply cannot continue to fund our transfer partners at the level we did this year. It is just not possible.

1350

Mr Elston: I asked the Treasurer if his announcements over the last couple of years have not required the municipalities and school boards to raise their taxes to maintain services. The answer is obviously that this is required.

The honourable gentleman will know that for a family of four in Ontario having an income of \$40,000, about \$8,600 of that is already given to provincial and federal tax officials. Having announced that next year municipalities and school boards will have to increase their property tax, a regressive tax which the New Democrats campaigned against some time ago, as we know, how can the Treasurer stand in his place now and answer a question about fairness in taxation and other things when he is forcing those people he calls his partners to increase their tax burden to those constituents who will have to pay to just maintain the services they require from municipalities and school boards?

Hon Mr Laughren: No announcement I have made so far has required our partners out there to raise their taxes. At the same time, all of us in the public sector, whether we are in what is known as the broad public sector—in education, health care—at the municipal level or in the provincial government, are going to have to manage our affairs smarter, more efficiently and more productively than we have in the past. There is absolutely no question about that, because the money is not there to continue to spend the way the former government did in the last five years.

INVESTMENT FUND

Mr Elston: I have some interest in that last response, but I have another question of the Treasurer, who is finding new ways of spending money that is not his own.

In the *Globe and Mail* of Wednesday, November 20, there was an article quoting the Minister of Financial Institutions, a colleague of the Treasurer's, indicating they were looking at the Caisse de dépôt et placement du Québec as a model for spending money in Ontario to do the things they want to do but are afraid to confess to the public they are really doing. Would the Treasurer tell us if in fact the Caisse de dépôt model is going to be the one he is going to use to set up the Bob Rae Investment Corp?

Hon Mr Laughren: We announced some time ago—and I do not think it is a surprise to anyone—that we want

to have some kind of pension-based investment fund in Ontario. At the same time, I do not believe you can just transpose a model from another jurisdiction to Ontario. I do not think it is that simple.

Second, if we do work out an arrangement with the public sector unions and their pension managers, it will be done in a co-operative, voluntary and collaborative way, not in an arbitrary way.

Mr Elston: I understand there are a number of documents in the Treasury domain and in other places that talk about taking as much as \$300 million a year from the teachers' pension plans and from the Ontario public service employees' pension plan, and there have already been some arrangements made perhaps even to go so far as tendering for space with respect to setting up trading areas that might be used for the Caisse de dépôt model the Treasurer is considering.

I would like the Treasurer to tell us what discussions have been held with the teachers and the public servants to get their permission to use their pension money for his expenditure priorities.

Hon Mr Laughren: First of all, they would be the expenditure priorities of all the people of this province, not simply mine. All I can tell the member opposite is that we are working away trying to develop a model for an investment fund, because we think it is absolutely critical, as part of our economic renewal plans as we come out of this recession, to have a fund that is targeted for high value added and very progressive kinds of industries or sectors.

We have had some preliminary discussions with the public sector unions on this. There has been no decision made at all as to exactly what we are going to do or how much money is going to be in it. But the member opposite is quite right, there is paper around. We have had discussions with committees. There is no big secret about it, but at this point nothing definitive has been determined.

Mr Elston: We have seen this Treasurer telling us some stories about his fiscal management and his budgetary plan. He has already put off several hundreds of millions of dollars in capital expenditures until next year. He has already used Ontario Hydro to do the bidding of the government to deal with the Kapuskasing issue, which our friend and colleague the member for Cochrane North spoke about today in the House.

The Treasurer has already indicated that there are now other arrangements by which the pension funds that belong to those teachers and public service employees will be used to do his bidding. In fact, he is now offloading, along with the offloading to the municipalities and the school boards, the requirements to make public expenditures at the expense of those pensioners.

It seems to me the Treasurer should tell us what his full fiscal plan is. He has not yet provided us with a clarification of who is participating in making the expenditures for his government priorities. Will he do that?

Hon Mr Laughren: The member opposite is fundamentally wrong. We are not offloading on anybody. If and when the investment fund is set up—I certainly anticipate it will be, but it is not there yet. I have learned not to count

my chickens in this business until the eggs are hatched, or whatever that expression is. I know members of the Liberal caucus are aware of that danger as well.

I do want to say to the member opposite that it is not a case of offloading. It would simply be a case of asking the people in the public sector unions if they wanted to share with us some of the surplus funds in their pension plans to do good work in the province of Ontario. Nobody is taking money away from them. They have to invest their money somewhere. We are just suggesting to them, "Would you like to join with us and invest in Ontario?" That is all.

RENT REGULATION

Mrs Marland: My question is to the Minister of Housing. I know she is aware that the rally held on the front steps of the Legislature this morning clearly illustrates the effects of the NDP government's two attempts at rent control legislation. These misguided attempts have had ramifications far beyond their goal of tenant protection. What should be clear to this government by now is that Bill 4 has been directly devastating to the construction and restoration industries as well as to landlords and tenants.

This morning it was readily apparent that many people in these industries have already lost or will soon lose their jobs as a result of this government. An employment impact study has indicated that as a result of Bills 4 and 121, 25,000 jobs will be lost in this province. It is estimated that as a result of Bill 4, in the restoration industry alone, 63% of the apartment renovation contracts have been cancelled. The result is that thousands have been laid off.

Before it is too late, will the Minister of Housing consider withdrawing Bill 121 and introducing in its place legislation which not only protects the tenants' rights but also preserves our housing stock and promotes a healthy and active construction industry?

1400

Hon Ms Gigantes: The member is aware that Bill 4, to which she refers and to which people at this morning's rally referred, is a temporary piece of legislation. It was put in place by this government in order to provide time to consult around this province on the production of Bill 121, which is now before a legislative committee. I hope the member will understand that whatever holding action has been taken through Bill 4—and indeed it was a holding action which we brought about in Bill 4 in order to protect tenants during that period before we could put Bill 121 in place—will be lifted as soon as we can deal with Bill 121 in committee. I hope we will be able to pass the amendments before us in committee before Christmas and be able to proclaim the bill in the spring.

Mrs Marland: This minister should recognize, if she understands what this legislation has done in this province, that the holding action to which she just referred has in fact cost 25,000 jobs in this province. If the minister is not concerned about the impact of her legislation on 25,000 jobs, with the pink slips in here that were signed this morning by the people outside in the rally, then I wonder how she can profess to be interested in protecting jobs and

the rights of workers. Frankly, to say it is a holding action is not acceptable.

The numbers get worse. For every \$100 million worth of renovation or repair work that does not proceed, almost 3,100 person-years of employment are lost. These job losses are a direct result of this government's initiatives. What does the minister intend to do to stimulate the construction industry so that not only are jobs restored but the rental housing stock of Ontario is properly maintained?

I would like to send these pink slips over to the minister, through the help of one of the pages.

Hon Ms Gigantes: The member has brought to us, in a colourful way, her point. The rally this morning was impressive because it represented concerns of people who have been employed in construction, who have gone through a lot in this past year. There has been a serious recession which has seriously affected employment in the construction industry.

I am pleased to report that because of some of the actions of this government, particularly in terms of our production of assisted housing through co-operative ventures at the community level and also through non-profit housing, we have stimulated the construction industry at the local level and employment is beginning to rise. It is not good enough yet, but we believe when Bill 121 is in place no landlord or construction worker will have any reason to suggest—not just to feel but to suggest—there is any problem with rent control legislation in this province as far as employment is concerned.

Mrs Marland: I think it is worth noting the appropriateness of this minister's attire today. I would be wearing black too if I was responsible for these bills and this loss of jobs.

Hon Ms Gigantes: You are.

Mrs Marland: Exactly. These bills are not about protecting tenants. These bills are about taking away the rights of property owners and destroying jobs in this province. We can talk about the recession, and yes, I suggest to the minister respectfully that it is because of the recession that she should be even more concerned about the job losses directly as a result of her legislation. Surveys have indicated that more than 25,000 jobs were at immediate risk due to the government rent legislation and that by 1992, 52,000 person-years will be lost as a result.

How does the minister's caucus respond to these figures? They claim construction layoffs are a political ploy by landlords. I will tell the minister that if there is a political ploy here, it is not the landlords, it is the NDP government that is guilty.

Finally, I simply ask the minister, have she and her cabinet colleagues made any attempt to assist the industries to recover from the blows that will be dealt to them by Bill 121, or does she not care?

Hon Ms Gigantes: I hope the member will take time, as she sits in committee dealing with Bill 121, to read it, because as she does she will understand that this will provide a system which will not only protect tenants against unfair and unjustified rent increases, but also provide landlords in this province with the mechanism to look for capital

increases if they need them, thus stimulating the renovation industry to which she refers and for which we have grave concern.

The member has to recognize that in a recession there is a responsibility on government to make sure that the 1.1 million tenant households in this province are not unfairly gouged by rent increases.

WORKERS' COMPENSATION BOARD

Mrs Witmer: I have a question for the Minister of Labour. His white paper on reform of the Labour Relations Act said that his objective was to protect workers, increase labour-management co-operation and foster economic renewal. If these are indeed his goals, and I would certainly agree with them wholeheartedly, then he should shelve his labour law agenda and deal with an issue that is genuinely in the interests of all—and I stress all—workers and businesses across this province, and that is the Workers' Compensation Board.

Is the minister prepared to withdraw his white paper? Is he prepared to set up a consultation process that involves all three partners and puts labour law in the context of competitiveness, and would he agree to get on with the extremely important job of solving the mess at the WCB?

Hon Mr Mackenzie: I am not sure just what the white paper is. There is a discussion paper, I am sure, that the member refers to. But I want to assure her that the purpose is to try to involve workers in Ontario a little more closely in the decisions that affect them, and I think that is one of the most positive things we can do.

Mrs Witmer: I would like the minister to focus on the question I asked. I tell him that the third quarter report of the Workers' Compensation Board puts the unfunded liability at a staggering \$9.9 billion, up from \$9.1 billion in 1990 and far above the June projection of \$9.4 billion—yes, billion.

The chairman has said he will not be able to retire the unfunded liability by the year 2014, as planned, without significant rate increases in 1993. This is something businesses and employees across Ontario cannot afford. The Treasurer has indicated he is committed to holding his deficit at \$9.7 billion. I would like the minister to tell employees across this province what he is going to do to make sure they have jobs. What is he going to do to hold the unfunded liability at \$9.9 billion?

Hon Mr Mackenzie: It would seem to me the question has been changed a bit. However, I will respond to it. The situation at the Workers' Compensation Board is one that started in 1972. The first actions to deal with any unfunded liability were not taken until 1984, when the plan was set out to try to deal with that unfunded liability by the year 2016. We are aware of what the current economic situation is doing to the Workers' Compensation Board as well, and the board is currently in the process of coming up with a number of options and suggestions that it may be able to use as the answers to see whether or not we can still meet the unfunded liability by the year 2016 or whether there will be any change in that. That is under active consideration right now and when the board has its

suggestions, it will raise them with us and we will have a joint discussion on them as well.

1410

Mrs Witmer: I am sure the people of Ontario are finding the minister's answers totally unacceptable. His government has an obligation to attract business investment and to create much-needed jobs in this province. The employer-financed unfunded liability is escalating at such an incredible and unbelievable rate that no one will want to invest in this province. The Workers' Compensation Board has a 14% decline in accidents, yet a 14% increase in benefit costs. Its revenues are down 5% and its administration costs are up 26%. If a business in this province were faced with these numbers, it would have to place a freeze on hiring and new policy development or it would go bankrupt.

Why is the minister now considering the inclusion of workplace stress? I can tell him the stress that is being created in this province by his workplace stress hearings is going to push business over the edge. Is the minister prepared to put these workplace stress hearings on hold and deal with the real problem at the WCB—the financial crisis?

Hon Mr Mackenzie: I am sure, at least I think, the member understands that the Workers' Compensation Board operates on its own; it has an arm's-length relationship with the government.

Interjections.

The Speaker: Order.

Hon Mr Mackenzie: I am doubly sure, having listened to the question that has just been asked, that the opposition members would not want us directly running the Workers' Compensation Board. But I can tell her also that the stress study that is currently being done is one that the board itself has initiated because of the concerns and problems that workers have with stress situations. They have not decided where they are going as yet, but they have initiated the study on workplace stress, and I think that is a good move.

Mrs Sullivan: The Minister of Labour does well to blush.

ACQUIRED IMMUNE DEFICIENCY SYNDROME

Mrs Sullivan: On Tuesday of this week, the Minister of Health indicated to the media that the previous government had made a decision not to participate in a fund to compensate haemophiliacs who contracted HIV through contaminated blood supplies. In fact, as we have heard, the previous minister had indicated to Hemophilia Ontario—

The Speaker: Order. Would the member take her seat, please. Would the member identify to whom she wishes to place the question? The Minister of Health is not in the chamber.

Mrs Sullivan: You are correct, Mr Speaker. I am addressing my question to the Treasurer of Ontario because, as the previous minister had indicated, this is a government-wide issue relating to compensation to victims of injury who suffered as a result of decisions made by the

Canadian Blood Committee. The issue had in the past been referred to the Treasurer for action.

We have now seen in the response yesterday in a case before the Canadian courts how the Canadian courts themselves respond to questions of compensation to people who have contracted the AIDS virus, HIV, through medical procedures. Why then has the Treasurer said no to a compensation plan for Ontario haemophiliacs and others who contracted HIV through blood products, the security of which is vested in part with Ontario through the Canadian Blood Committee, when the federal government has urged provinces to participate? Why is he willing to accept court-induced settlements rather than being at the table right now and negotiating a reasonable and cost-effective solution to this matter?

Hon Mr Laughren: It is indeed a serious matter that the member raises. I recall the Minister of Health's response was that, first of all, Ontario was not acting alone in this regard, that other provinces were acting in the same way and that the real question was delivery of services to people, not compensation, the way the member is suggesting.

Mrs Sullivan: This is not a question only of delivery of services. For example, one of the first actions, if we are talking about delivery of services, was to arbitrarily remove from the formulary drugs that were used to treat AIDS patients. If we are talking about delivery of services, we are talking about arbitrary cuts made in health care delivery and I can provide a list of them. They seem to have been made for reasons imposed by the Treasurer in terms of cost cutting. They include arbitrary cuts in the drug benefit program, no flowing of funds yet to announced levels for funding for nursing homes, removing the billing cap for southern doctors who practise in the north, cutting laboratory fees without having any consultation with the laboratory association of whether those arbitrary cuts will indeed provide the savings he is asking for.

The Treasurer has been telling people—his decision has been leading to these cuts in services—about what services people will not longer get. We are very concerned about what steps he is taking to ensure people get the health care they need. Where is his plan for a cost-effective and universal health care system in Ontario that is not driven by the Treasurer and treasury board?

Hon Mr Laughren: I think the member opposite should appreciate the fact that what we are trying to do, for the first time in the history of this province, is to bring the growth in health care spending under control in a rational and sensitive way. I do not think any government or any party in this land has more credibility on the question of universal medicare than this party does. There is historical evidence of that.

I simply say to the member opposite that it is not possible to control the growth of the health care system without making some decisions that are going to offend some people, but I can assure her that it is our intention to make sure the health care system is managed in such a way that essential services will be maintained.

Mr Cousens: Mr Speaker, there was an understanding that the Minister of the Environment would be here by now and we have an important question for her. Is she coming or what is happening? Everybody else seems to be away.

The Speaker: Do you wish to stand down your question?

Mr Cousens: Is she going to be here? We have a question on Keele Valley and the environmental issues and we have no one else to ask.

Hon Mr Laughren: On a point of order, if I could treat it that way, Mr Speaker: It was my understanding that the minister would be here about two o'clock, but perhaps you could stand it down.

DRUG OFFENCES

Mr Runciman: In view of the absence of the Minister of the Environment, I am going to pose a question to the Solicitor General. To acknowledge Drug Awareness Week, the government this week distributed a booklet in French and English detailing a rather costly exercise that some of its parliamentary assistants engaged in to inform us of all the wonderful things it is doing to deal with illicit drug use in the province. Today we open up the newspapers to read that Metro Toronto has chalked up a record 331 bank robberies so far this year and the head of the police holdup squad puts the blame on drug abuse.

Other than this expensive little make-work project for parliamentary assistants, can the Solicitor General tell us what his government and he, as the province's chief law enforcement officer, are doing or proposing to do to assist police in their fight against illicit drug use?

Hon Mr Pilkey: We received the document that came to my desk just yesterday with great interest. I believe the work that members of Parliament and the broader community placed with respect to this very valuable document will act as a guiding light as to how we might improve the circumstances of policing and the community towards attacking this very unfortunate circumstance that pervades our society. We will, as a ministry, review that particular document to see how we might enhance the very strong efforts the police are already undertaking to combat that type of crime.

Mr Runciman: Other than patting themselves on the back, it does not appear the minister is doing much that is positive, or at least he does not know what he is doing. I am going to advise the minister of what his government is doing. It has cut back the OPP budget when crime is going through the roof. It has produced a self-congratulatory and probably meaningless report on drug treatment. It has undermined police morale by re-laying charges against PC Brian Rapson, by police board appointments like Susan Eng and the Peel region appointee who believes police consistently lie in court. That is what this government has done. It is not a very impressive record.

When is the minister going to do something positive—read my lips, positive—to meaningfully help our policemen and policewomen in their fight against escalating crime and drug abuse?

Hon Mr Pilkey: The men and women of the law enforcement agencies of this province are, every day they are on duty, combating crime in the streets and making our communities safer. We have indicated on previous occasions—

Interjections.

Mr Ruprecht: It's not them; it's you. Number one, it's you. You're so sickening. Do something.

The Speaker: Order, the member for Parkdale.

1420

FISH AND WILDLIFE MANAGEMENT

Mr Jamison: My question today is for the Minister of Natural Resources. The minister is aware that the commercial fishery on Lake Erie has been confronted in recent years with increasing pressures on the industry through the quota system. This is the time of year when my constituents are looking to the ministry for indications as to its 1992 allocations. Would the minister please advise the House where we are in the allocation-setting process.

Hon Mr Wildman: The member has raised an issue of very great importance to the constituencies along the north shore of Lake Erie, to all members and their constituents. He is quite right. Next week we will be meeting for discussions with the industry and with the sports fishery interests to gather information and have their involvement in setting quotas and allocations on the basis of the assessments.

The smelt advisory committee that was set up has been very helpful. The field work was done in late summer and fall. The data collected is being analysed by a biologist who was chosen in concert with the commercial fishing industry. Further to that, we have expanded the partnership index gill net fishing to assess stocks in other areas of the lake. This is a very difficult process. You have to balance biological sustainability with the economic viability of the fishing industry, and that is why we are proceeding and trying to involve as many of these interested parties as possible.

Mr Jamison: For some time now the criticism has been that the people fishing commercially in Lake Erie have not been full partners in the allocation process. I realize the minister has made steps through the establishment of the smelt fishing advisory committee to involve the people fishing commercially in that process, and I thank him for that effort. However, has the minister been able to make any progress in expanding the role of other resource users?

Hon Mr Wildman: As I said, we have expanded the gill net assessment and we will be looking at how we can expand the process. The initial allocation meetings will be held next week and the commercial liaison committee will be in Aylmer on November 25. The east and west groups of the commercial fishermen will be meeting there together for the first time, and we will also be meeting the sports fishing liaison committee on November 27. We are going to share both the groups' initial quota allocation of 1992 and allow the commercial fishers to plan for the first few months of the next year.

AGRICULTURAL INDUSTRY

Mr Bradley: I have a question for the Minister of Agriculture and Food. The government of Ontario obviously continues not to understand the plight farmers are facing financially in this province. Indeed, the member for Lincoln had to be held hostage by a number of his constituents before he could get a meeting with anyone of significance on that side. But as the farm community prepares for the annual convention of the Ontario Federation of Agriculture next week, farmers are voicing their concerns about how the government now wants to tax back some of the assistance it has provided and force new costs on farmers in Ontario.

They are upset about the government's plans to increase farm labour costs through changes to the Labour Relations Act, and are upset about a leaked report which also recommended that the government place new taxes on pesticides and fertilizers to pay for the government's costs under the new gross revenue insurance plan and the net income stabilization account program.

How does the Minister of Agriculture and Food explain his government's plans to target new taxes and costs to the struggling farmers of this province at the very time they are in such dire financial straits?

Mrs Caplan: That's a good question.

Hon Mr Buchanan: One of the members has suggested that is a good question. I am not sure it is because it seems to be based on a whole lot of speculation and suggestions that have come from various sources that to my knowledge have no merit at all.

The changes that have been announced with regard to labour relations have minimal impact on agriculture. The farming and rural committee has been, and will be consulted on that. It does not pose a major problem for agriculture and I do not think it poses a major problem in the Niagara district which the member represents.

Mr Bradley: A close listening to the farmers of this province would reveal the opposite of what the Minister of Agriculture and Food has said this afternoon. While in opposition, many of the people who sit on the government benches today, who are NDP members, echoed the concerns of farmers about the crop insurance premiums and said they were too high. The Liberal government responded with a number of new reforms to lower the costs of that crop insurance.

Yesterday I received a call from a constituent—a farmer—in my part of the province who indicated he was upset about the government's changes to the crop insurance formula, increasing the price of premiums for peaches—the insurance on peaches—by almost 50%, with the cost of premiums increasing in this case by over \$1,200. This new cost in itself is more than many Niagara farmers will receive under the minister's announcement of new funding last fall.

Will the minister assure farmers that they will not become the sacrificial lambs in the government's failing attempts to manage its finances, and will the minister promise that the range of policy changes being contemplated by his ministry and by other ministries of the NDP

government will not be implemented without full consultation with the farm community and they will not impose any new costs or taxes to farmers without new funding to offset these costs?

Hon Mr Buchanan: Congratulations to the member on his new appointment. I want to assure him we will not impose any new regulations or taxes that are going to affect agriculture adversely without recognizing the impact they will have. We have been working hard to provide assistance in the form of emergency aid and the long-term safety net programs we have funded this year.

On the announcement that came out of Ottawa today, when we looked at totalling what our share will be in Ontario, it looks to me as if the Niagara region is going to receive somewhere between \$3.5 million and \$5 million of the horticulture money being made available in Ontario. I think that is good news for the farmers of Ontario.

The crop insurance revisions are made from time to time. The crop insurance plan is based on each commodity and we try to have each plan actuarially sound so the premiums cover the losses over a period of time. Many of the premiums have been reduced in different commodities this year because there was a surplus in the fund. The premiums tend to fluctuate, depending on what the claims are.

The member suggested there will be an increase. It is due to claims or due to the fact that the program needs additional money in order to make it actuarially sound. It should not have that adverse a consequence on the tender fruit industry. If it does, in fact, we are looking at other programs to provide assistance.

1430

LANDFILL SITE

Mr Cousens: I have a question for the Minister of the Environment. Citizens are enraged at the minister's desire and order to expand the Keele Valley landfill site, pushing the Keele Valley landfill site beyond its original planned capacity and planning to use it in future without a full environmental assessment.

By enlarging this site, this government is increasing the contaminating life of the site. This minister is increasing the pressure on the leachate underneath. In turn, the leachate increases pressure on the clay liner, the only thing that separates this landfill site from the ground water underneath. There is not enough clay from present sources to handle the future expansion.

The question I have relates to this environmental time bomb that the minister is creating with the expansion of Keele Valley. The clay liner is already half permeated. Can the minister tell this House what impact the enlarged Keele Valley landfill site will have on the ground water?

Hon Mrs Grier: Precisely because of my concern that there ought not to be any impact of this on the environment, in my order to Metropolitan Toronto, which is the operator of this landfill disposal site, I gave a directive about a series of studies that have to be undertaken in order that we can assure ourselves that in fact this is not a time bomb. I understand our discussions with Metropolitan

Toronto are proceeding, and it is my hope that those studies can begin as soon as possible.

Mr Cousens: Bill 143, the bill the minister is bringing before this House and which we are debating next week, is an act of desperation by this government. Keele Valley is on the same parcel of land as the headwaters of the Don River. We have just gone through Save the Rouge Valley System and, fortunately, enough of us have been able to take that battle to a crescendo that we have something happening there. But the issue now for the east branch of the Don River, which shares the same property as the Keele Valley landfill site, creates the question which has to be answered as to what the impact of the increased size of this landfill site on the future of the Don River will be.

Will this minister agree to have a full environmental assessment on the expansion of Keele Valley and examine the impact it is going to have on the Don River?

Hon Mrs Grier: As I think this member indicated in his very helpful comments on Bill 143 in the House a couple of days ago, the purpose of the Environmental Assessment Act is to consider alternatives. The studies that will look at what is actually leaching, what the effect of that leachate will be and what is contained in that leachate are going to be done under my emergency order or under the Environmental Protection Act or under the Environmental Assessment Act.

The member is well aware that we have to find some place to dispose of the waste of the greater Toronto area when sites reach capacity. He is also well aware that a number of things can happen that can prevent our needing to do that. It is my profound hope that we will not have to expand Keele Valley because we will have a long-term site up and operating as soon as possible. I invite the member to co-operate with me in accelerating that process so that we do not need to even contemplate the doomsday scenario that he is so fond of painting.

ONTARIO STUDENT ASSISTANCE PROGRAM

Ms Haeck: My question is to the Minister of Colleges and Universities. As the minister knows, students and parents alike have a great interest in OSAP. Can the minister comment on the consultation he has had with the post-secondary community, in particular with students, on the issue of OSAP?

Hon Mr Allen: I thank the member for the question. For a number of years, the students and indeed the university community called for a comprehensive review of the student assistance program in this province, and I was very happy to be able to accede to that request and set up a very comprehensive panel last spring, a general advisory committee, to deal with that question. It represented every single facet of the university system and, in particular, every student group in the system was well represented on it; for example, the Ontario Federation of Students, the Ontario Graduate Association, the Canadian Organization for Part-time Students, the Ontario Community College Student Presidents' Association and so on. Every student group in the system was very actively represented and made very good suggestions for the review.

That review was fed back into the system for response by October 15, and we are currently examining in detail the responses of the system to put forward a package for this year's consideration in the funding of the system in response to the tuition issues.

Ms Haeck: What types of improvements can be facilitated? I know all the members of this House would really like to see these improvements include the access for underrepresented students.

Hon Mr Allen: As the member knows, the entire purpose of OSAP is to facilitate enhanced access for all those groups that are underrepresented in the system. There is a full range of proposals that have come from, among others, students in the system in order to improve that access for those groups.

I must say that one has to consider all those in the context of the fiscal climate. Some things that are proposed will be possible and others will not be. But we are winnowing our way through those, and I certainly assure the member that access for low-represented groups in the system will be better with the new proposals that come forward and are implemented in the coming reforms than was the case in the past.

DRUG OFFENCES

Mr Ruprecht: I have a question for the Minister of Consumer and Commercial Relations, whose name still does not appear on all the elevating devices in Ontario, I might add.

All indicators, including the minister's own report, show that the illicit drug trade is escalating in Toronto. In some instances, she is aware that the police note that owners of licensed establishments are turning a blind eye to the carrying out of illegal drug-related activities on their premises. Does the minister plan to take any steps to see to it that owners of licensed establishments think twice before permitting illegal activities on their premises?

Hon Ms Churley: At first, for some reason I thought the question was on elevators.

The question is actually an important one and a good one. I know that in Toronto and in other urban areas in Ontario in particular there are pockets where there are real problems, where there are unscrupulous people opening up bars and where there is illegal trade going on. In fact, by coincidence, I met with the chairman of the LLBO just this morning to talk about it. I have had several meetings with various community groups, some municipal councillors and the LLBO to talk about solutions to this problem, and we are working together to come up with some solutions.

Mr Ruprecht: I appreciate that statement very much, of course, except that it is in the field of the Solicitor General. Those people are doing absolutely nothing when it comes to maintaining a police force that is effective and fighting the illicit drug trade in Toronto and probably in other places in Ontario as well. When is the minister going to get up and tell this House specifically what she will do besides telling us we have one report after another report in which recommendations are all the same? She should do something and she is not.

My question is very simple. The report that was given to us and to the minister about the drug prevention task force of Metro council—she received that report also in February—recommended, "Owners who permit drug trafficking or other drug offences on their premises should have their licences revoked or suspended." Is she prepared to stand up in the House today and tell us that yes, she is willing to implement that recommendation, or at least tell us that people in the community where the illicit drug trade and licensed establishments are will have the right to say to the Liquor Licence Board of Ontario, "Please do something about these establishments"? Is the minister willing to do that today and stop mealy-mouthing and telling us something about another report?

Hon Ms Churley: I can say that we are doing something about it. There are a lot of concerned citizens' groups out there that I have met with. The board has been working overtime lately and working very hard, and it is involved in hearings about some of these premises. In fact, there are some premises that have been closed down on an interim basis while waiting for the hearings because the problems have been so severe. There have been some places that have been closed down permanently because of the problems.

It is a concern of mine and of the LLBO. In fact, action has been taken, and as I said earlier, we are continuing to meet. We are looking at the legislation and we are even looking at the Municipal Act. We are trying to figure out tighter controls, and I will continue to work on that. If the member has some ideas as well, I would be happy to hear from him on that.

1440

POST-SECONDARY EDUCATION

Mrs Cunningham: My question is for the Minister of Colleges and Universities. I know the minister is probably very much aware that before the standing committee on finance and economic affairs we had words again from the universities of this province, from both the Ontario Confederation of University Faculty Associations and the Council of Ontario Universities, telling us about their dilemma with regard to planning under these very difficult circumstances we face in Ontario.

We have already asked the minister if he would let us know about the money for pay equity. We do not know about that. I asked him earlier in the year if he had considered a new tuition fee policy, not just relating to the level of grant increase, but a brand-new policy, so that could be part of the recovery plan as explained by the universities, with support from the students, in these very serious times.

Today I am going to quote from the brief:

"Faced with a serious constraint on the grant revenue it can flow, and assuming existing financial aid programs can be adapted to protect against real hardship, COU believes that the government must revisit its past policy of constraining fee increases to the rate of growth in grant income."

The Speaker: Would the member place her question, please.

Mrs Cunningham: I will, Mr Speaker. Will the minister revisit his past policy of constraining these fee increases and will he be announcing in the very near future what his fee increase policy will be in both regards?

Hon Mr Allen: The member opposite has a deep concern about these issues, as always. She is aware of the general fiscal climate in which we are all struggling. I certainly feel very deeply for any person who is an executive officer trying to manage any of our broader public sector institutions at the present time. It is not an easy time for any of us.

I want to say with reference to another point the member made that this government is the first in Ontario that has begun looking at multi-year budgeting as a possible model for dealing with our broader public sector responsibilities. It will take some time to resolve that problem.

With regard to the pay equity question, those institutions know what their percentage increment will be for the past year in that regard.

Coming to the centre of the question, we will be making the transfer announcements reasonably soon. We will also be coupling that with a fee announcement. I hope that will satisfy at that time the member's interest and concern.

Mrs Cunningham: I am really more concerned about it satisfying the needs of the students and the universities across this province.

In the last few weeks I have received copies of letters that the presidents have sent out to all their departments within the universities describing the kinds of changes that will take place, the job losses that are being experienced, the increases in enrolment they are expecting and their dilemma as to how they are going to handle this.

Today, as we ask the minister again, we cannot afford to wait any longer, because it now becomes a planning issue. If the secondary school students in this province are going to be denied access because the professors will not be there to teach them, or if the minister has disallowed any really serious thought to allowing students to pay more tuition, I think we need to know that immediately.

Mr Sorbara: Get to the heart of the question.

Mrs Cunningham: I will get to the heart of the question with direction from my colleague in the Liberal back benches, who may soon be in the front benches.

The Speaker: Would the member place her question, please.

Interjections.

Mrs Cunningham: I will ask the question, Mr Speaker. I cannot even think some days.

Can the minister advise the House today what percentage increase post-secondary institutions will receive both in transfer payments and in tuition fees?

Hon Mr Allen: I am afraid the answer is no, with all respect to the member.

MARKETING BOARDS

Mr Hansen: I have a question for the Minister of Agriculture and Food. He has just returned from the GATT negotiations in Geneva and the European Community's commission in Brussels. The farmers in my riding and across

Ontario are very concerned about the results of these negotiations and future supply management in Ontario. The member for St Catharines has also been waiting quite a while for this answer here.

Can the minister tell the House what he hopes to achieve and what the prospects are of reaching a GATT agreement on agriculture? Also, can the minister tell the House what steps he is planning to take next?

Hon Mr Buchanan: It is true that I led a small delegation to Geneva and Brussels to demonstrate Ontario's support for the Canadian balanced position on agriculture. We believe that reduction of export subsidies on grains and oilseeds and the preservation of article XI, which allows us to continue to have supply management, are very important to the agricultural industry in Ontario and indeed in Canada. The reason for making that journey was to demonstrate to our trading partners Ontario's support, and indeed all provincial support, for the federal government.

The farm leaders who went with me had an excellent opportunity to talk to the negotiators themselves. They had very valuable input and were allowed to ask questions of the other countries. I think it is very important for farmers to have that input to the negotiators, and they had an excellent opportunity to do that.

The Speaker: Would the minister conclude his remarks, please.

Hon Mr Buchanan: In terms of where the negotiations are—

Interjections.

The Speaker: Order.

Hon Mr Buchanan: —the GATT negotiations appear to have entered a final phase. There is a lot of optimism that the GATT round will conclude before Christmas, including an agreement on agriculture.

The Speaker: Would the minister take his seat, please. The time for oral questions has expired.

Mr Mancini: On a point of order, Mr Speaker: It was very obvious what just took place a moment or two ago. The minister refused to make a statement in the Legislature about his trip to Geneva. He allowed his colleague—

The Speaker: Would the member for Essex South take his seat, please.

Mr Mancini: It is a question of vital public importance. The whole thing should be ruled out of order.

The Speaker: I asked the member to take his seat.

Mr Mancini: We are asking you to defend us.

The Speaker: The member does not have a point of order.

Mr Mancini: We are asking you to defend us against the government. We are losing our rights here.

The Speaker: The member does not have a point of order. A question was placed, to which an opportunity for response was given. It was a lengthy response which denied the member for Lincoln an opportunity for his supplementary.

Mr Mancini: He denied our right to ask an important question. That is what he denied.

The Speaker: Order. I ask the member to take his seat and come to order. The member for Scarborough North.

Mr Curling: Could I ask for a ruling on this, Mr Speaker? I am asking for unanimous consent that I could ask my question.

The Speaker: I will place the question. Is there unanimous consent for the member for Scarborough North—no? All right. I draw to members' attention that—

Interjections.

The Speaker: I ask the House to come to order.

Mr Mancini: If you wanted order, Mr Speaker, you should not have allowed what happened five minutes ago.

1450

LEGISLATIVE PAGES

The Speaker: I would like to draw to members' attention that today is indeed the last day for our current group of pages to serve us. I would hope all members would appreciate, as the Speaker has appreciated, that these pages have indeed served the members and served the House with distinction for the past while and they deserve our appreciation and thanks.

HOME GARMENT WORKERS

Hon Mr Mackenzie: I would like a point of order to correct the record, Mr Speaker: Yesterday, in responding to a question from one of my colleagues, the member for Fort York, who raised the issue of the treatment of home workers, I inadvertently used the word "homemakers." I want to correct that. I meant "home workers" myself.

INTRODUCTION OF BILLS

FINANCIAL ADMINISTRATION AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT LA LOI SUR L'ADMINISTRATION FINANCIÈRE

Mr Laughren moved first reading of Bill 156, An Act to amend the Financial Administration Act / Projet de loi 156, Loi modifiant la Loi sur l'administration financière.

Motion agreed to.

Hon Mr Laughren: These amendments to the Financial Administration Act set out the responsibilities of the Treasurer in managing the financial position of the province. The act has not been substantially revised since the early 1980s. Major changes in the province's borrowing program require the use of contemporary borrowing mechanisms to minimize borrowing costs. Our borrowing program now focuses on the public capital markets, largely resulting from the decision to cease using the public sector pension plans as our main source of capital.

Proposed amendments to borrowing policies will enable the province to take advantage of opportunities to reduce debt-servicing costs and manage risk. Amendments to financial management practices will provide the additional flexibility needed to manage a large borrowing program. Changes to the province's investment program will

allow it to utilize the services of non-bank financial institutions such as trust companies and credit unions by making them eligible for investment of liquid reserves. The amendments will also enact an accounting framework for the new capital fund announced in the 1991 budget.

These amendments will bring the Financial Administration Act more in line with existing financial practices and procedures and increase the province's ability to effectively manage its financial position.

NOTICE OF DISSATISFACTION

Hon Mr Cooke: Mr Speaker, there was a request yesterday from the member for Brampton North that we give unanimous consent to have the late show on Monday when the Minister of the Environment can be here, rather than tonight. If that is acceptable to all members of the Legislature, that is fine with us.

The Speaker: Do we have unanimous agreement? Agreed to.

ORDERS OF THE DAY

REGULATED HEALTH PROFESSIONS ACT, 1991, AND COMPANION LEGISLATION

LOI DE 1991 SUR LES PROFESSIONS DE LA SANTÉ RÉGLEMENTÉES ET LES PROJETS DE LOI QUI L'ACCOMPAGNENT

Resuming the adjourned debate on the motion for third reading of Bill 43, the Regulated Health Professions Act, 1991, and its companion legislation, Bills 43-64 / Projet de loi 43, Loi sur les professions de la santé réglementées et les projets de loi, 43 à 64, qui l'accompagnent.

Mrs Marland: I am happy to have the opportunity to briefly comment on these health professions bills today. Before doing that, however, I want to compliment the member for Simcoe West on his participation in the process of the public hearings, in conducting these bills through the committee. He was at that point the newly appointed Health critic, and we have all been very impressed and very grateful for the thoroughness with which he took his responsibility in listening to the many delegations both from many public organizations of the professions and from individuals who had very serious and very important comments to make on this legislation. I know that for the member for Simcoe West it has been a particularly heavy and onerous job, but we do commend him for the thoroughness and the commitment he took to that responsibility.

I want to comment on the legislation where it pertains to whether or not people who have acquired a doctorate in philosophy would be able to use the term "doctor," to be addressed as "doctor." Under the legislation, only dentists, medical doctors, optometrists, psychologists and chiropractors are allowed to use the title of "doctor." Nurses, pharmacists, speech-language pathologists, audiologists, physiotherapists and occupational therapists are among the accredited PhD health professionals who will not be allowed to use this title.

Our Health critic, the member for Simcoe West, introduced an amendment reflecting the right of PhD-prepared individuals—from recognized academic institutions of

course—to use their earned title of “doctor.” We were extremely disappointed that the government used its majority on the standing committee on social development to vote down our amendment.

I just cannot understand how this socialist government does not appreciate what academic degrees are all about. If someone goes to university and studies for all the years it takes to achieve an academic degree, and it happens to be one that has a doctorate at the end of it, for the government to say these people are not entitled to use that degree simply is totally abhorrent to me. I cannot understand how they wish, through these bills, to differentiate between the traditional doctors of medicine or dentistry or doctors of chiropractic and doctors of psychology.

As far as I am concerned, if you earn a PhD and it is from an accredited academic institution, you have earned it. There is no differentiation. What is the difference between a doctor of medicine or a doctor of chiropractic or a doctor of psychology and other people who earn their doctorate in other specialties and other fields? It is totally ignorant on the part of this socialist government to denounce the right, in my opinion, for people who have a PhD to be addressed as “doctor.” I think it shows the smallness of the thinking of the socialist government that it would even want to debate or discuss this particular issue. It is significant to those people who have acquired that level of education.

1500

I frankly do not know if there is a member of the socialist government caucus who has a PhD. I know there is a member who has a doctorate in medicine. If there is a member of the NDP caucus who has a PhD I am not aware of it. I stand corrected. Of course, and I appreciate it, there is the member for Hamilton West who is the Minister of Colleges and Universities and Minister of Skills Development. He is an individual member of the NDP caucus I personally have admired for the six years I have been in this Legislature. I apologize to the minister for not recalling that. I know very well he has a PhD. I also respect him very much on a personal basis because of the kind of individual he is as a representative in this Legislature.

The member for Hamilton West is someone who knows better than anyone else in this House who does not have a PhD how much work it took for him to achieve that. I am sure that if anyone in this House recognizes what the PhD represents in terms of commitment to education on a personal basis, it is the minister. I am sure that if I could get the minister in a private corner he might share with me the concern that this legislation before us today does not permit other professionals in health care service in this province to use the title of “doctor” if they have a PhD outside the areas I have already addressed.

To end that subject, it is pretty small potatoes for this government to make an issue where they could not accept the fact that anyone with a PhD in any area of specialty should automatically be allowed, if they choose, to use the title of “doctor.” Funnily enough, I am married to somebody who chooses not to use that title. It is a personal choice. I think that if people have that academic degree, it is up to them to have the choice to use that title.

I wish this government would recognize excellence in education. This government has decided to do away with the Ontario scholarships that recognize excellence in academic achievement for grade 13 students across this province. It is very hard for us to understand where we are headed with this socialist government and its attitude towards higher learning, post-secondary education and education generally. The very fact that it does not think it should set goals for individuals to work towards and strive to achieve in education, such as Ontario scholarships for grade 13 students, I think speaks of this government in a way I would not be proud of were I a government member. If we do not recognize excellence and give young people something to strive for, we are saying it is okay to be mediocre.

I know this government's argument on the issue of recognizing people with education is that it makes it too competitive, that there are always going to be people with ability and there are always going to be people without ability. That is absolutely true. But in the real world, as soon as those students leave their academic institutions, even if we are talking about secondary school, they are in competition. We are all in the world of competition, so we might as well be in it in our secondary school years where we set goals and work towards achieving them, and if we are able to achieve those goals, have the recognition we have earned.

I do not have a PhD, and I doubt very much whether that is a level of academic achievement of which I would be capable. But I respect very much those people who have worked and studied very hard for a lot of years to achieve that degree. The title and recognition is due to them, I say with respect.

The other health care profession bills I want to speak about are Bills 47 to 52. The bill in particular I have some concern about is Bill 50. Bill 50 is the Denturism Act. As a result of extensive consultation with the Ontario Dental Association and the public committee hearings that were conducted, our party actually introduced an amendment to the Denturism Act restricting denturists from fitting or dispensing partial dentures except on the order or prescription of a member of the Royal College of Dental Surgeons of Ontario. We believe a diagnosis by a dentist would allow for the most appropriate treatment plan. We are also concerned that those seeking dental services would see the denturist as the primary provider of dental services.

The Ontario Dental Association presented the standing committee on social development with strong evidence demonstrating the importance of a dental diagnosis in prescribing partial dentures. We are extremely disappointed that the NDP and the Liberal committee members voted against our amendment. I think even more important is that when the member for Simcoe West asked that this matter be referred to the advisory council in clause-by-clause deliberations, that was not accepted either.

In a submission to the standing committee on social development, the Royal College of Dental Surgeons of Ontario recommended that “the status quo be maintained until the advisory council can fulfil its stated function under Bill 43 to obtain information from interested parties

and advise the minister on whether denture therapists should be afforded the right to fit removable partial dentures without supervision."

The irony is that there is a provision for this process to take place. According to section 12 of Bill 43, "The minister shall refer to the advisory council any issue within the matters described in clauses 11(a) to (d) that a council or person requests the minister to refer to the advisory council unless, in the minister's opinion, the request is not made in good faith or is frivolous or vexatious." I believe the matter of partial dentures falls within the parameters of section 12 that I have just read, and I would appreciate it very much if the minister would respond to this matter immediately.

The reason this is so significant is that we are not questioning the ability of the denturists to fit and make dentures for patients, but we are questioning how much further their ability should be extended. Frankly, when you are talking about the emplacement of partial dentures that are dependent on the permanent teeth remaining in the mouth, you are dealing with an entirely different sphere of practice. You are dealing with the kind of knowledge that is required to know and to be able to interpret whether the teeth remaining in the mouth are in a fit condition to support a partial denture being attached to them. Even though they are removable, partial dentures are attached and dependent on the permanent teeth remaining in the mouth.

1510

What this is allowing denturists to do is to come into the area of dental practice for which the dentists receive entirely far more in-depth training before they are allowed to work on permanent teeth in the mouth. The kind of training, I would respectfully suggest, that dentists receive in order to practise dentistry does not compare to the kind of training denturists require. That is fair because in the past denturists have only been permitted to make dentures. They are not involved with the permanent teeth, the balance of which may remain in a patient's mouth. It is an entirely different sphere in the practice of dentistry. It is rather scary stuff to think that this next step is being permitted to denturists without the seven years of training and in-depth medical and physiological knowledge that a dentist is required to have before he or she can practise dentistry and the treatment of teeth in the mouth.

I hope the Minister of Health will see fit to refer this matter, as I have asked and as our Health critic has asked, to the advisory council and let it decide in an independent way what the outcome of this very significant question will be. It is very significant to the future of the dental health of patients in this province. If the next step is that we allow denturists to do this, is the next item the fact that we are going to allow denturists to go even more into the general area of the practice of general dentistry?

General dentistry is something that is very important to the total health of our bodies. So often in diagnosis the knowledge of the dentist who is trained through years in medical subjects associated with the practice of dentistry enables him to diagnose other problems, because the mouth itself is a great mirror of the health of our total body. That is very important.

On the aspect of the bills having to do with denturists, I want to note that the member for Simcoe West, our Health critic, also put forth an amendment proposing that the Regulated Health Professions Act be amended to extend the use of prescribed forms of energy to dentistry. We are pleased in fact that the government introduced comparable amendments we were able to support.

Finally, something else that is important to all the people in this province under all aspects of health care is Bill 55, the Medicine Act. Currently the College of Physicians and Surgeons of Ontario council includes representatives from each of the five faculties of medicine in Ontario. The Medicine Act is going to reduce that number to three. The Health critic for the Progressive Conservative Party introduced an amendment to retain the current representation of five academic appointments, one from each medical school, on the College of Physicians and Surgeons of Ontario council.

Over the years, the academic appointees to the college council have offered a unique and valuable perspective on CPSO activities. They bring administrative, educational and professional expertise to the college. The faculty representatives also give the college ready access into the system of educating physicians, and this system varies in each medical faculty. They provide feedback from the college directly to medical faculties and are often critical in effecting change in medical education.

We share the disappointment of the medical community that the NDP members of the committee voted against our amendment. There is nothing more important to all of us than the education of our future doctors in this province, and that was not very much to ask. Why not just keep the status quo of the five representatives of the five faculties of medicine? It was a very simple request, but there again the socialist members, for whatever reason, failed to understand and recognize the significance and the importance of that.

No wonder people are deciding not to go into medicine or attend our medical schools, for all the other areas of problems that I have addressed in the past about how the socialist government is now treating physicians and doctors in this province. But here we have an intrusion into the very beginning of their opportunities in education. No wonder they are not going in there. No wonder they are going other places, not only to learn medicine but to practise medicine.

I have appreciated the opportunity to place these comments on the record. There are many other areas of these bills I would have liked to have an opportunity to comment on, but as usual, because of the last-minute pressure of business brought into this House by the government, I have no time or opportunity to make further comment.

Mr Sola: Due to the fact that I substituted on this committee several times, I thought it appropriate for me to make a few comments, particularly in regard to one brief that was presented to the committee in Sault Ste Marie by a person from my home town of Sudbury: Diane Petrucka from the Sudbury Nurses for Life organization. I just want to put down some of the concerns she expressed to the committee, which I understand have not been met in the

final legislation. I wonder if the government could reconsider and incorporate these concerns into the final bill. I would like to quote from her brief:

"We believe that the destruction of human life is in direct contradiction to the moral and ethical responsibilities of our profession. We believe the definition of nursing demands that nurses utilize the scientific information and skills they have before them to effect life and health. We recognize the value of and support research beneficial to all humanity done with consideration for the dignity and with the full and informed consent of the individual involved."

What these nurses want for themselves is freedom of choice. The people wanting the abortions have the choice of either having the abortion or not, but the way legislation in Ontario is today, nurses do not have an option. It is interesting that doctors, who are mostly male, have the option of performing this procedure or refusing to perform this procedure and referring the patient to some other doctor who will do it, but the nurses who must take care of the patients before and after the fact do not have this option, and as we know, the nursing profession is mostly female. It comes to the point where these nurses are having a battle with their conscience and are also suffering intimidation at work and being threatened with the loss of their job if they do not succumb to going against their conscience.

1520

I would like to point out that most people who oppose this support the principle of a woman's right to control her own body, and I think very few people are opposed to that, but by opposing the provision the Nurses for Life want, the government and the legislation prevent these nurses, these women, from controlling their own mind and conscience. It makes it difficult for them to live with their own conscience.

It is interesting that even in the military during times of war there is such a thing as conscientious objection for people who do not believe in using arms, whether in offensive or defensive measures. But in the nursing profession we do not allow for a conscientious objector, and somehow this seems to be contradictory to me. In essence, because most nurses are women, the fact that these nurses cannot avail themselves of the right to refuse to assist at abortions—they are being discriminated against.

I think a further thing that should be borne in mind, with the recent headlines about provisions being considered for dying with dignity and whether euthanasia should be allowed in some form or other, is that this dilemma will pose problems to people who have similar concerns at the other end of the scale. Abortion is at the beginning of life; euthanasia deals with the termination of life. I think there will be more and more pressure for people who have difficulty accepting these sorts of procedures to assist at them.

I would ask the government to reconsider in this legislation, either in Bill 43 or in Bill 57, to include some provision for a conscientious objector clause. Many other jurisdictions already have similar clauses in effect without affecting the quality of their health care, and I wonder why Ontario could not be at the forefront in providing protection for its nurses, rather than lagging at the rear.

In conclusion, I would just like to read the legislation from the state of Texas, which is the preferred legislation for the nurses as far as the brief they presented in Sault Ste Marie is concerned.

"A physician, nurse, staff member or employee of a hospital or other health care facility who objects to performing or participating, directly or indirectly, in an abortion procedure may not be required to perform or participate, directly or indirectly, in an abortion procedure...."

"A hospital or health care facility may not discriminate in any manner against a physician, nurse, staff member or employee or against an applicant for such positions who refuses to perform or participate in an abortion procedure. No physician, nurse, staff person or employee shall be discriminated against for their willingness to participate in abortion procedures at other facilities. An educational institute may not discriminate against applicants for admission or employment as students, interns or residents because of their attitudes concerning abortion."

"A person whose rights under this act are violated may sue a hospital, health care facility or educational institute in district court in the county where the hospital, facility or institution is located to enjoin further violations of this act and including, but not limited to, administration or reinstatement of employment with back pay plus 10% interest and any other relief necessary to ensure compliance with provisions of this act."

In conclusion, I think these nurses, although opposed to abortion, are not trying to prevent access to abortion for those people who feel it is their right and want such a procedure. They are just asking for protection for people like themselves who have a conscientious objection, who have a moral viewpoint that does not allow them to participate in such procedures. I think people of such strong conviction should not be put in the position of either going against their conscience or losing their job.

Mr Beer: I would like to make a few comments by way of closing for our party on this bill, or indeed on all these bills.

I want to say in the first instance that I think it is something all members can take a good deal of pride in, in terms of what has been accomplished. We should reflect back on just how long it has taken for this to come forward. I know several of my colleagues have commented on that, but I think it is significant and important to underline that Health ministers from all three parties have been very involved in the beginnings of this review, the development of the legislation and finally the presentation of the legislation to the Legislature. Now we are at the point where we are closing on third reading.

Yesterday I had the opportunity to note the important contribution which the former Minister of Health, the member for Oriole, made to this whole process. I also want to recognize other ministers of Health, indeed the present minister, because I think in the committee discussions we have had an opportunity to look at the legislation in a non-partisan way, as members of the three parties, as laypeople, and we have tried to struggle with the various briefs and presentations that were made to us and to make

further changes. Out of that, I think we have a better piece of legislation than we had when we received it as a committee. I think the way in which that committee worked, under the guidance of the Chair, the member for Oriole, was a good indication that we all wanted to try to make sure that, on the one hand, we were going to protect the public interest and, on the other, we were going to expand access to a variety of health professions. I think we have achieved that with this legislation.

On behalf of our party, I would like to thank a number of people in particular with whom we worked very closely, both in government and then as members of the committee: first of all, Linda Bohnen and Alan Burrows from the ministry. They were with us through all the hearings of the committee and we greatly appreciated their counsel. We may not always have agreed with everything they said, but certainly we recognized the professionalism with which they said it and, without them, it would have been a much more difficult process. I would also like to thank Mark Spakowski, from the legislative counsel's office. It was his task to try to make sense of our words and put them into appropriate form for amendments. The clerk of the committee, Lynn Mellor, had the very difficult task of trying to sort out all those who wished to come before the committee and ensuring that we had a process that was going to be fair for all those who wanted to participate. Last but certainly not least, we all owe a great debt of gratitude to Alan Schwartz, who of course prepared the original report and started his work some eight or nine years ago.

This took a long period of time, but I think it was important in the end that it took that time, because what we have now is something that very definitely moves us forward in the regulation of health professions by adding a number of new professions to that group and just updating the whole process. Somebody mentioned that one of the acts we were dealing with and bringing up to date had originally been set forth in 1925.

1530

As I said before, I think the critical part of this legislation is in balancing the public interest with expanding access to various health professions. It is interesting to go back to the mandate of the Health Professions Legislation Review and simply note that the mandate the then Minister of Health gave to Mr Schwartz in November 1982 asked him to make recommendations, in the form of draft legislation, with respect to which health professions should be regulated, updating and reforming the Health Disciplines Act, devising a new structure for all legislation governing the health professions and settling outstanding issues involving several professions. If we look at what we have accomplished in the committee and brought forward to this House, we can see that the goals and objectives set out in 1982 have been largely met.

As a number of members have mentioned, and I want to make a couple of comments myself, no piece of legislation, and certainly no omnibus bill with all the other bills, that has come forward in the process we are engaged in will be perfect. None the less, the important thing is that we have been able to reconcile most of the differences of

opinion and have set up what is perhaps, going beyond this legislation, a most important body—the advisory council.

The council will be able to hear various questions put to it by the minister and will be able to work with the new colleges around areas that are still in dispute or perhaps new areas where there may be problems. Indeed the advisory council will have the role of being able to see whether other professions can be brought within the ambit of the legislation at some point in the future. This is really going to move us much further than where we are presently.

A number of concerns have been left with the government. I want to look at several of the acts briefly, just to note those for the record.

J'aimerais aussi souligner l'importance de deux choses. Je pense que, comme les députés le comprennent très bien, le gouvernement d'aujourd'hui, comme le gouvernement passé, a essayé de développer une gamme de services en langue française pour la population francophone. Je pense qu'avec ce qu'on vient de faire aujourd'hui, en effet, ça va mettre à la disposition de la communauté francophone maintenant plus de services en français, comme nous en aurons aussi en anglais. Donc, c'est très important pour la communauté francophone comme pour la communauté anglophone.

Une question un peu à côté mais quand même importante, je pense, c'est cette question des titres en langue française. Nous avons eu une discussion avec les avocats sur la manière exacte dont il faut procéder avec les titres. Ce qui est intéressant c'est que, après la discussion en comité, j'ai eu plusieurs appels et lettres de différentes personnes disant qu'on espérait bien que, entre le Québec, l'Ontario, le Nouveau-Brunswick et le gouvernement fédéral, on puisse continuer à travailler sur la façon d'exprimer en français les titres, où on va mettre les titres masculins et féminins et si on peut trouver un système global.

Alors, je sais qu'on a eu une discussion fort intéressante, mais pour la communauté francophone ça reste toujours une question. J'espère bien que le gouvernement va continuer à discuter de la meilleure façon d'exprimer les titres des lois et des projets de loi dans les deux langues.

I will briefly note several questions that arose in terms of Bill 43, the omnibus bill. First is the harm clause. As has been mentioned, my party provided an amendment to bring this clause back into the legislation. We worked very hard with those in the unregulated professions and with the members of the other parties to express this so that we made sure exemptions for those groups we did not want to involve or implicate were clear. I believe we have done that in this legislation. For those who were unregulated and had concerns, like the social workers, teachers and clergy, this legislation does what it set out to do. They may proceed and do all of the things they have been doing in the normal course of their activities. That is important.

We shared as well some of the concerns around the protection of title and felt there should be provision for those with PhDs working in the various institutions to be able to use the term "doctor." We understand, as has already been mentioned, that the minister may consider allowing, via regulation, those with PhDs in institutions to use the title "doctor." It is still our contention that if

somebody has earned a PhD, he should have the right to refer to himself as "doctor" and that there are other ways of indicating clearly whether this person is a medical doctor or dentist, or whatever profession the person is in. We recognize some of the concerns around that but frankly feel it is something where the consumer can understand that difference. The use of the term "doctor" should be permitted.

One of the other changes we made which we felt was very important and in which all members of the committee shared and where we found the co-operation of the group involved was with respect to those with physical disabilities. Members will recall that at the beginning there was real concern expressed by those in the disabled community around whether in fact this bill would somehow limit their own ability to control their lives. It was significant that the members of the ministry and the members of the committee were able to hear the presentations made by a number of individuals and groups representing the disabled and were able to make a specific change which will ensure that those who have disabilities will be able to direct the kind of care they will receive. That was an important and significant change.

Mention has also been made of the changes made with respect to sexual abuse. The task force's final report, if I understand the papers, will be out next week. I think it is important that we proceeded and were able, through an amendment brought forward by my party, to begin already. We know we are going to have to look at that task force report. Presumably later next year, there may be further changes brought in because of their recommendations.

The patient relations program, which is now set out in the legislation, and the announcement the parliamentary assistant made that the minister has requested all of the colleges to come forward with plans as to how they will deal with sexual abuse definitely set us on the right track. I suspect the patient relations program in some form or other, with whatever changes are suggested through the task force report and the consultation process after that, will provide us with a good way of proceeding.

It was clear to me, especially from the presentation by the College of Physicians and Surgeons of Ontario, that those organizations are certainly well seized of this issue and recognize their responsibility in making sure they have the appropriate provisions. What we have done there is good and is a significant step forward.

Finally on Bill 43, we should also be pleased that we were able to work out the agreement around the aboriginal healing element and that we were able to bring in changes which were to the liking of the aboriginal community and will provide it with what it felt it needed to go forward in developing its own health care services. Those were positive things we were able to do. It is welcome to see them in the legislation.

There are perhaps three or four of the actual acts I want to comment on. After our hearings were over—this relates to Bill 45, which deals with the profession of chiropody—some concern was raised, in letters I believe we all received, around diagnosis and what podiatrists and chiropodists would be able to do. I hope the ministry will sit down with

the representatives of the Michener Institute for Applied Health Sciences and see if there really is a problem there or if that is something which can be resolved through discussion. As we said on many occasions, we were not trying to limit what people were doing. I do not think that was the intent. But concerns have been raised by those who were active in chiropody and podiatry around just what they will be able to do in terms of diagnosis.

1540

Bill 56 relates to the profession of midwifery. Here again is a place where we believe we have made some major strides forward. We recognize now the question of identifying and defining clearly the role of the midwife and the relationship between the midwife and nursing and other professions, a question which came before us. Our sense is that the new college that will relate to midwifery will work closely with other health professionals so that some of the possible areas of conflict or misunderstanding will be resolved. I underline that we felt it was very important to go forward and set up the college of midwifery at this time.

We had one question with respect to nursing which we still feel is important and want to put on the record. We have to be, I believe, very conscious of recognizing that nursing is a full and equal partner with all the other professions we were dealing with under this legislation. We expressed a concern, and express it again, around any attempt to identify any kind of hierarchy in the health care field that would seem to suggest nurses were at some other level. When we had taken out of one part of the legislation the reference to nurses only being able to do certain things at the direction of doctors or dentists, we were concerned that specific reference was made in another part of the act to nurses doing certain procedures at the direction of doctors, dentists, chiropodists and midwives, not because we believed they would not work in a very co-operative and collaborative manner with those professions but because we felt that should be something set out by the colleges and not in the legislation. I simply say to the government I think it is important that we continue to ensure nursing is seen as a fully equal profession within this legislation.

With respect to Bill 60 and the regulation of the profession of optometry, I think all members of the committee—all members—were concerned when we listened to the testimony provided by witnesses from the College of Optometrists of Ontario, from the University of Waterloo, on the definition of what they believe they did and what they felt were the professional skills of optometrists and what the ophthalmologists, through the Ontario Medical Association, felt. This was the one place where we as a committee were not really able to resolve those differences.

I think it is fair to say it is sometimes difficult for laypeople to make a judgement on what seem to be differences of professional opinion. We say to the government that we hope that, perhaps through the advisory council, the college of optometry of Ontario and the College of Physicians and Surgeons of Ontario and the Ontario Medical Association, efforts would be made to bring the ophthalmologists and optometrists together to see if some consensus can be worked out.

The parliamentary assistant will know there is still a great deal of concern within the college of optometry in terms of just how they are going to set out some of the regulations regarding how optometrists will practise. I believe they can find a way to resolve that. This is one issue where, in our view, optometrists in fact can do more than is set out in this act. I think that will need to be looked at on a continuing basis.

Finally, and on a positive note, it was significant that we were able to resolve the problem around the psychologists so that those with doctorates as well as those with MAs will now be together in the same college. Again, that was a place where the committee's work was instrumental in bringing people together. What was so important was that they came up with the final resolution and we were able to ensure it was included in this legislation.

What we have here is a significant step forward. I hope the government will move to set up the advisory council that falls within the ambit of the legislation as soon as possible. I really think the role of that council, which is going to be made up of laypeople, will become very critical as all of these acts are implemented and as we go forward. At this point, we are pleased to support all of these bills on third reading.

Mr Wessinger: I would like to thank the members for their comments on this legislation, which I think is a landmark that we are doing in Ontario. I would also like to thank all the past ministers of Health who have dealt with this legislation. They all made a contribution in pushing this forward. Particularly, I would like to again thank the member for Oriole for her role as past minister and also for her role and the guidance she gave as Chair of the committee. It certainly helped us expedite this legislation and make it go much more smoothly than it might otherwise have done.

I would like to make a few comments with respect to the legislation. When we started out it was very clearly the intent of the legislation that it would define the existing scopes of practice of the health professions. As a result of the hearings and as a result of several amendments, not only have we at a minimum defined existing scopes of practice but we have in several instances increased the scopes of practice. This legislation, in our opinion, does not in any way restrict any existing scope of practice of any health professional.

On another aspect, there was some concern expressed about the whole question of communication of assessments. We believe that as a result of the amendments made, it is now much clearer that assessments may be communicated by those people who are not regulated health professionals and those who are not authorized to give diagnosis.

I would also like to thank the staff for the assistance they gave me in taking this legislation through committee and through today; that is, Linda Bohnen and Alan Burrows. They were of great assistance to myself and to members of the committee and they gave me a very good education on the legislation and very good advice, and I thank them very much for that.

We now have legislation we can be very proud of. We are already setting an example for other jurisdictions. On a note blown from our own horn, I would like to share with the members these words noted in the recently released British Columbia Royal Commission on Health Care and Costs, "A more appropriate, cost-effective and timely health care could be provided to more patients if British Columbia were to follow the Ontario initiative."

The Acting Speaker (Mr Villeneuve): Initially, these bills were all moved simultaneously. Is it the pleasure of the House that we proceed and vote on all of these bills simultaneously?

Agreed to.

The Acting Speaker (Mr Villeneuve): Is it the pleasure of the House that these motions carry?

All those in favour of Bills 43 to 64, inclusive, please say "aye."

All those opposed to Bills 43 to 64, inclusive, please say "nay."

In my opinion the ayes have it.

Motion agreed to.

1550

RETAIL BUSINESS ESTABLISHMENTS STATUTE LAW AMENDMENT ACT, 1991

LOI DE 1991

MODIFIANT DES LOIS EN CE QUI CONCERNE LES ÉTABLISSEMENTS DE COMMERCE DE DÉTAIL

Mr Pilkey moved third reading of Bill 115, An Act to amend the Retail Business Holidays Act and the Employment Standards Act in respect of the opening of retail business establishments and employment in them. / *Projet de loi 115, Loi modifiant la Loi sur les jours fériés dans le commerce de détail et la Loi sur les normes d'emploi en ce qui concerne l'ouverture des établissements de commerce de détail et l'emploi dans ces établissements.*

The Acting Speaker (Mr Villeneuve): Does the Solicitor General have opening comments?

Hon Mr Pilkey: I do. Mr Speaker and members of the Legislature, I am proud and privileged today to return to this House for third reading of Bill 115, the Retail Business Establishments Statute Law Amendment Act. This bill is a product of our government's principles, the hard work of the all-party standing committee on administration of justice and thoughtful input from a broad range of Ontarians who made submissions for the committee's consideration.

Bill 115 is fundamentally about maintaining and enriching the community life of Ontarians and ensuring that as many people as practically possible can take advantage of the benefits of a common pause day to pursue personal and family activities.

This bill is about protecting the rights of retail workers, small retailers and their families to enjoy a day on which they can relax and rejuvenate from the daily grind and commercialism of the week, and it is about recognizing the unique nature and requirements of Ontario's tourism industry, which promotes and enables leisure and recreational activities.

Bill 115 also enables municipalities to recognize the unique nature of their communities. Under the bill, bylaws may be enacted which exempt retail business establishments from the restrictions of the Retail Business Holidays Act in accordance with tourism criteria set out by provincial regulation. That regulation has been developed to ensure that the tourism exemption under the Retail Business Holidays Act, as amended by Bill 115, is administered with consistency across this province. These criteria offer guidance to those applying for exemptions and to municipal councils dealing with those particular applications.

The criteria are designed to assist businesses and municipalities in determining exemptions which maintain and develop tourism while, at the same time, ensuring that the need for common pause days in the community are in fact met. Every effort has been made to ensure that there is no undue burden placed on those seeking legitimate tourism exemptions.

The regulation has been developed with the assistance of a special advisory group made up of Ontarians from a representative cross-section of interests. This advisory group serves as a model for government partnership with the community. The role these dedicated individuals have performed confirms our commitment to consultation and open government. I thank them and I commend them for their excellent efforts.

I would also like to offer my personal thanks to Mr Andrew Faas, executive vice-president, National Grocers Co Ltd, who served so ably as chair of the advisory group. Mr Faas is in the gallery here today. I would like to recognize you, sir, and thank you for your very capable assistance with respect to these tourism criteria—a very fine job indeed.

With the mandate to strengthen and improve the criteria for the tourism exemption, the advisory group supplied invaluable advice. The resulting regulation is based on their unanimous recommendations. The tourism exemption is the best mechanism for ensuring that exemptions to the Retail Business Holidays Act are both consistent across the province and responsive to local requirements.

In addition, there is an appeal procedure for those objecting to municipal bylaws and special protection for affected workers who exercise that right of appeal. Also, anyone who can demonstrate an interest will be able to seek an injunction which compels a retailer to comply with the Retail Business Holidays Act. A structure of minimum fines for violations of the act is also set out under the bill.

In response to retailers' concerns, as they enter their most critical season, Bill 115 allows all retail stores to open on Sundays in December prior to Christmas Day.

However, overall, Bill 115 is not about Sunday shopping; it is about Sunday working. Included in the bill are amendments to the Employment Standards Act which give retail workers the absolute right to refuse Sunday and holiday work assignments and which guarantee to these workers 36 consecutive hours of rest every seven days. Through these amendments to the Retail Business Holidays Act and the Employment Standards Act, the rights of Ontario retail sector workers are very well protected.

I ask the members of the House for their co-operation ensuring quick passage of this bill so that the people of Ontario can be assured of a fair, enforceable law that protects holidays enumerated under the act as common pause days for all of us to share in.

Our common pause day legislation supports the quality of life we have come to expect and enjoy in this province of ours, our Ontario. With Bill 115 our government fulfils our long-standing commitment to provide common pause day legislation that protects the rights of retail workers while recognizing unique requirements of the tourism industry in Ontario.

The Acting Speaker (Mr Villeneuve): I wish to thank the honourable Solicitor General for his opening remarks. Questions and/or comments on the Solicitor General's opening remarks? Seeing none, further debate on Bill 115.

Mr Curling: I thought I would await the time to make my little remarks here. I call this a small remark because I will not be very long in pointing out some of the discrepancies in Bill 115. Before I do so, I want to commend the minister who came into this fray pretty late. I want to commend him for attending quite a few of the committee hearings. It showed he had an interest, and at least that is a start.

I also want to commend the member for York Centre, who was very constructive in pointing out daily as the committee met discrepancies in the bill and how it could be improved. While the minister was in attendance—and, yes, I commend him for that—I am not so generous in giving him that compliment for listening to the member for York Centre, who pointed out numerous discrepancies in this bill.

What struck me in this bill was the fact that the minister continued to talk about a common pause day. The common pause day was targeted to Sunday, and we talked about Sunday shopping. Somehow it was morally wrong to shop on a Sunday. It was in a sense a family day. All the family should be together on a Sunday and it was therefore necessary that we have that pause day.

I am not at all worried about the fact that we were looking for a common pause day, but what struck me as a double standard with this minister, or the government on that side, was that when it came to December, it was okay to shop in December. Therefore, what we are going to have is a bill or a law that states that there should be no shopping continuously on any Sundays of the year except in December. I hope in his wrapup remarks the minister explains why it is right and okay to shop in December on Sundays and wrong to shop on Sundays the rest of the year. The inconsistency there baffles my mind.

1600

I thought too that seeing we had a municipal election and seeing that some of the municipalities took the opportunity to have a referendum to find how they like to go in regard to Sunday shopping, I cannot recall—and I stand to be corrected—that any municipality indicated the people did not wish to shop on Sunday. It clearly came out that they would like to shop on Sundays.

The minister stood up in the House a few minutes ago and stated, "We listened to the people." That is the direction this NDP government would go, "We listen to the people." I think they do listen, but there is a time when we listen but we do not hear. I think they go through the motions of saying: "We are a listening government. We consult with you, but we will not take anything you said seriously." Since the municipalities have voted in their referendum, "Yes, we want Sunday shopping," I do not understand how the minister can stand in the House today and say, "No, we will not give it to them."

We thought one of the best ways to go in this very difficult bill—because Sunday shopping debates have been around for years and years, and they have approached it from many directions—instead of sitting in this pink palace deciding on our own what is morally right or what is a family day, is to, as the minister said, consult with the people and find out what they want. They have said very loud and clear that they would like to shop on Sundays.

The previous Liberal government went further and said, "You decide when you want it and how you like it." Therefore, the municipalities themselves would have to be responsible to the people within the community. We thought it was a good way to go. When this government came in it felt it was the moral light of the entire people. They know what is right and they went against that. I am very saddened by that. This bill is about protection of workers, but not in December. The reason we do not want to shop on Sundays is to protect workers, but in December we will not protect workers.

I am a resident of Scarborough North and I listened to the people. I will not bring my own personal view here. My job is to bring the views of Scarborough North residents here. They have told me that, yes, they would like Sunday shopping, and the member opposite in his remarks asked if I had spoken to everyone in Scarborough North. No, I have not spoken to every single soul in Scarborough North, but I have spoken to as many as is humanly possible, and all stated they would like to shop on Sundays. But no, this government decided it would tell people not to shop on Sundays. However, they may shop in December.

In supporting the quality of life, I do not think any government, any member of Parliament, must enforce its quality of life on my constituency. I am completely against that, because that is what the constituents told me. They know their priorities and do not want the government telling them this is its priority in all this.

I want to quickly comment on the tourism criteria and guidelines. If I was able to get that guideline in my hand today and find out what is a tourist or who is a tourist, or whatever definition they would like to put to that, then I would be able to understand what is happening. I presume at one stage they said anyone outside of 30 miles coming in to that area is a tourist. I am not quite sure if that definition has been cleared up yet.

I am sure anyone from downtown Toronto coming to this wonderful, beautiful area of Scarborough North would be a tourist. We have many of those people coming, so I would like to indicate to the minister today that Scarborough would like to be designated as a tourist area. There

are so many people coming here outside of 30 miles that the entire area will be designated a tourist area. They are all tourists coming into my riding and I welcome them, although I do not regard them as tourists really. I regard them all as friends and families who will contribute to this great country and province of ours.

We are unable to pin this government down to definitions about what it is calling a tourist area, what is a common pause day, why a common pause day could be a Sunday but not in December, and I am utterly confused. I sat in quite a few of the hearings, and as the member for York Centre pointed out the discrepancies, I asked those members to listen very carefully. We feel on this side we have done everything possible to convince them of the direction they should go. I think they have heard but they have not listened. I wish them luck as we proceed to finalize Bill 115.

Mr Fletcher: I want to express a few concerns about what the member for Scarborough North was talking about, especially the idea of a common pause day except in December. I think the honourable member knows that is not the case. The labour reforms introduced with this bill do not end just because of December. They continue and the workers have the same protection and the same rights no matter what month of the year. So this bill does give a common pause day for the working people of this province.

As for the quality of life, this government is not trying to introduce its own quality of life to the people of this province. People will adjust to their own quality of life. We cannot legislate quality of life; we cannot legislate the morals of the province. That has to come from the grass roots, and I think the member knows that.

In the municipal elections, as far as referenda are concerned, we also have to look at the question that was asked: "Would you like to shop on Sunday? Yes. Would you like to work on Sunday? No." I think he will see that the reverse would be in order when that question is asked. The people would be saying overwhelmingly: "No. I don't wish to work on Sunday."

That is what the introduction of this bill has tried to do, to protect the working people of the province to ensure there is a common pause day, to protect the people who do not have unions to protect them, and the retail workers in other areas. This bill is far-reaching, not just for unionized workers but for unorganized workers.

The Acting Speaker (Mr Villeneuve): Further questions and/or comments? Seeing none, the honourable member for Scarborough North has two minutes to respond.

Mr Curling: As I said, we have said it all. We have done everything possible in the committee for the government to listen to some of the directions of the honourable member for York Centre. I feel that to make any other comments—they would not listen. I just hope that in the future, when the minister presents those regulations today, we will be able to say, if there are any amendments later on, we can make something that is bad even a bit better.

1610

Mr Carr: I want to start off by thanking all my colleagues with whom I spent the long, hot summer travelling

around this province. It was a great opportunity, as was mentioned often in committees, to get to know one another a little better as we went on the bus from Thunder Bay all the way to Ottawa. Almost the entire province was covered. To my colleagues and to the staff who spent so much time, I want to say how much we appreciate it.

Having said that, like the speaker before me I am very disappointed, as a result of this bill having come in and having heard the summer hearings, that not much was changed. During the summer we heard from people on both sides, those in favour of Sunday shopping and those opposed to Sunday shopping. Both sides of the issue came in and were very disappointed and discouraged with this bill. It was the previous Solicitor General, I guess, who okayed the initial push for the bill, but it did nothing to please either side on this issue. The new Solicitor General had to come in and shepherd this through. Unfortunately there were no changes.

We will be voting against this bill. The reason is that, like the Liberal legislation before it, this bill is unfair, unworkable and will hurt the economy of Ontario. It is interesting that the government talks about the workers being the reason it brought this in. In fact workers will be hurt because of this piece of legislation.

The member for Guelph talked about the fact that during December there will still be protection for workers. In other words, the stores can open but, under the Employment Standards Act, workers will still be protected during the month of December. During the hearings the minister said, "You can't protect employees through the Employment Standards Act; the only way to do it is to close on Sundays." But now he says, "We can do it during December, because if they don't want to work they'll have the right of refusal."

During the summer hearings we said, as we have continually said and I think even the Liberals said, we could improve the Employment Standards Act so that anybody would have the right to refuse to work on Sunday. The minister said: "No, that never works. You can't do that because people will be forced and coerced." Now he stands up in this House and says, "Boy, because of these standards we can protect the worker." It cannot work both ways. If it does not work for the other 11 months of the year, to my friend the member for Guelph, it does not work in December.

It is interesting to see how members of this government can change their dialogue in the House. They can change what they say about a piece of legislation depending upon what they do. The turns, the spins and the dialogue are 180 degrees, and quite frankly I think that is why people are so cynical and sceptical about politicians, particularly this government.

I want to be fairly brief because I have spoken at length. I think I asked a question of almost every witness who appeared before those summer hearings, so I have spent a great deal of time on this. I know very clearly that this government will not be listening. They did not listen to the people from Thunder Bay to Ottawa during those hearings, so I suspect they will not be listening to me.

There are a few points I think the public of Ontario should know about, as we have a new Speaker who should be well aware of this piece of legislation.

The regulations are one of my big concerns. We have the folks here who helped and were part of the regulations, another member of that body looking at the regulations. The problem with the regulations and the concern we have is that when you put the tourism criteria in there that are so fundamental to the bill, this is the whole essence of what is going to happen when a municipality opens a tourism exemption. What we have said is that they should put it in the bill so that the politicians can be accountable for their actions. If they put them in the regulations, the criteria can be changed tomorrow with a stroke of the pen. All the fine work the Solicitor General says they are doing could be changed tomorrow. A poll comes in that changes it. The Premier says, "It looks like we're going down," so he changes it through the regulations.

It was interesting that during the discussions on the Police Services Act the member for Etobicoke-Rexdale and the member for Welland-Thorold said, "You shouldn't put things in regulations because if you do, you don't know what will happen."

Mr Kormos: He was right then and he is right now.

Mr Carr: The member was right then, as he says. Guess what happened during the Police Services Act? This province lost the oath to the Queen without any debate in this Legislature because regulations are not where it should be done. I say to the members opposite, the reason is that we are accountable in this House with our seats, which can be lost next time if the public is not happy. The people who make and change regulations are not accountable and they cannot be defeated the next time an election is held.

What we need to do is to have input. Unfortunately, we did not have the input from the public, and my fear is that these regulations that are so fundamental to the principles of this bill can be changed overnight, with a stroke of the pen in the darkness, with no input from the public of Ontario, and I think that is wrong. On that point alone, I think this bill should be defeated.

On that point alone, I think it is improper and this bill should be defeated, regardless of when they get into the regulations or what they are. The original ones that were tabled of course were very broad to allow municipalities to open. Regardless of whether members agree with the regulations, they should not be in there. They should be part of the legislation so the people in this House can be accountable when they stand up and vote for this piece of legislation. On that point I feel very strongly.

The next one is the appeal to the Ontario Municipal Board. That, quite frankly, was a result of some lobbying from the United Food and Commercial Workers International Union, which came through and said, "Well, if you leave it up to the municipalities, we'll have open Sunday shopping," which in fact we did here. By my recollection, about 60% to 70% of the municipalities said, "We'll take the tourism exemptions such as they are, such as we know them at this time, and we will open." But then the United

Food and Commercial Workers came in and said, "No, that can't be, because we need to have an appeal process."

In this day and age, when we are talking about scarce resources, when we are talking about the Workers' Compensation Board, which does not work because of the delays—we all know that as members in here, sometimes having spent 60% of our days dealing with the workers' compensation.

The rental hearings: I had the opportunity to spend two full days at a rental hearing in my riding. Guess what happened after those two full days? We did not even get to the discussions. We politicians think we spend a lot of time, but when the rent review hearings were on, they spent two full days and they did not even debate the issue once; they just debated whether they were going to go ahead. The public, 75 or so tenants, came out of there and were so disgusted with the process they said, "This doesn't work." I say to members, not only does the WCB not work because there are bureaucratic nightmares; the rent hearing boards do not work because of the bureaucratic nightmare.

What do we do? The Ontario Municipal Board right now is backlogged 12 to 14 months. That is the date you will get if you start, but we say we are going to put more into the system with Sunday shopping.

Non-profit housing, which was supposed to have a fast track, cannot get approval through the Ontario Municipal Board because of the backlogs, the delays and the bureaucracy. So what does this government that believes in bureaucracy say? "We've got a solution to the problem. We'll just give it to the Ontario Municipal Board."

Quite frankly, the reason is very simple. When a municipality decides to open up, government members will be able to say: "Well, it wasn't us. It was the big, bad municipal politicians. They're the ones who decided to open up. Then the Ontario Municipal Board went there and ratified it. Don't blame us when there's Sunday shopping in this province. We did everything we could."

The minister, in his briefing notes that we got hold of—I was very pleased that he at least did not sick the OPP on me, and I appreciate that he said he would not, because I was quite frankly expecting them to come. The speaking notes said they would spend about \$1 million. To the question, "How much are we going to spend on the Ontario Municipal Board?" the Solicitor General said they would spend \$1 million.

It is interesting to note that we have resources for that. We do not have resources for the Ontario Municipal Board to deal with non-profit housing, but it is going to have them now, as a body; all these appeal processes coming before it. Quite frankly, \$1 million to set up another level of bureaucracy is even worse than the previous Liberal bill where the municipalities had the final decision. Again, the only group that talked about that during the presentations was the United Food and Commercial Workers.

One of the other concerns we have is with the appeal process to the courts. Again, it goes back to the entire principle of this government looking to some other agency to blame when in fact some of the municipalities decide to open, because the process is very simple.

What happens now when we hear the presentation through the Toronto police? They say: "We don't want to be involved in Sunday shopping. We've got a 38% increase in crime." We literally are afraid to go out at night in Metropolitan Toronto. The murders are up. We heard today that the bank robberies are up dramatically in this province.

The police said: "We do not want to have to be going around and deciding whether somebody like Paul Magder is open on Spadina Avenue. We've got criminals who are getting away with violent acts." We have drunk drivers being sprung from the court system right now, and they introduce an amendment which will say that any individual who sees a store open can go to the court and have that court issue an order to close, and the police will have to be involved instead of catching the murderers who are out there, doubling in this municipality alone.

I have had in my riding two young women who were murdered this summer. People are scared and crime has become the number one issue in this province. So what do we do with a court that is backlogged so much, quite frankly, that we now have well over 35,000 cases—cases of sexual assault, cases of drunk driving that have been thrown out—and what are we going to be doing? We are going to say: "If anybody disagrees with a decision and a store is open and it is not supposed to be, you can go to a court of law. Don't go there if you need a drunk driver off the road, or somebody who has been charged with sexual assault, because he is getting off free; but if you want to go there to close down a business that is trying to survive on Sunday, you can do it in Ontario." I say that is scandalous in the province today.

If the public were to look at it objectively and say, as we have heard the Treasurer say many times, "It is a case of resources. The resources are limited. We have to apportion them according to priorities," I say to the members opposite that if they think anybody in this province thinks the priorities for more resources to a court system that is already backlogged should be to handle Sunday shopping openings ahead of the crime that is facing this province, I say they are out of touch. I say they are out of touch and I believe the vast majority of people say that. I believe, in a non-partisan manner, they are wrong if they believe that.

1620

Of course members know there are different levels of courts and they will say this is not the court that deals with criminal action. But the fact of the matter is that they are talking about resources that will have to be put into the court system now to handle Sunday openings or closings, or whatever members would like to call them, at a time when in both the civil cases and the criminal cases the backlogs are so long that we are throwing people out on the street. For the Solicitor General, the top policeman, to put resources into the courts at a time in this municipality and all the way out to my area in Halton when the police are virtually under pressure and under constraints and we have court cases where people with violent crimes are being let off, I say it should not be a priority to put that in there.

When the amendments on that piece of legislation came through to my office, all through the summer we heard the people say: "Whatever happens, at least make a decision. The province should make a decision and have the political courage to do it." We heard that from both sides of the issue. People who want it to be open or want it to be closed said the province should take the responsibility.

So what do they do? They do not take the responsibility. They push it off and they are going to be able to say, "Well, if somebody is opening illegally, you go to the courts," and believe me, there will be groups going to the courts to close down retailers who are just trying to open in this province, and I say that is wrong.

One of the other concerns we have is with the old tourism criterion that we put in, the 7,500 square feet. We had protesters out here virtually on the front steps confronting the Solicitor General on the 7,500-square-foot rule. I will explain it again for the Solicitor General. In the old tourism regulations he had, anybody with over 7,500, even if a municipality decides to open, will have to come back and apply separately. What that group has said to the province is that it will be the key for taking this to court, basically because they say the minister should not be making a determination of where the tourism exemption can be had, based on the square footage of a particular facility that wants to open.

Of course I am not a lawyer. I guess the only people who will benefit from this will be the lawyers. They are the ones who will argue this in municipalities all across the province. In fact, that goes for the appeals to the courts too, because the lawyers are the ones who will be able to go there. I think most of the lawyers who sit there and see the backlogs right now are very concerned about them.

We proceeded to move this through fairly quickly, in spite of the fact that we were accused of holding it up. Anybody who was there would know I was very brief in many of my statements, more so than I wanted to be. I probably would have been a little longer if I thought I could convince the government. One of the reasons was the December openings prior to Christmas. Essentially what happened—I think we were all surprised. I guess it was the last presentation of the day. All summer we heard a lot of presentations on the issue, pro and con, and the last group came in and said: "What about this? If in fact you decide you are going to go ahead with this bill, what if you opened Thanksgiving to Christmastime as a bit of a solution to the problems some of the retailers are facing?"

What we attempted to do in the bill that I tabled in this Legislature was to say: "Don't make it a part of this bill. Don't use it as political leverage to get a bill through quickly just because you wanted to have the December openings." The Solicitor General chose not to look at that bill. All he needed to do was to change the date. It could have been from December 1 and we would not have had to deal with it and have the rush and the pressure and the indecision that has been a part of this bill. Even today we do not know what is going to happen with this particular bill.

Although they blame the opposition parties, the fact of the matter is that they came in late with amendments; they

came in with amendments after agreements had been made and deals were broken. In all fairness, as I said in the committee to the people involved, it was deals that were made by people on the standing committee on administration of justice who said, "This is what we're going to do." Unfortunately, as we know, the decision comes from one office in this province and that is the Premier's office. When they say whatever is going to happen, that is what happens.

The December opening became an issue of this bill basically, because I am now getting calls, as I said in the committee the other day. I actually had a call from the office of the former Solicitor General, who is the Acting Speaker, asking when my bill would be coming through and when it would be completed. It is interesting to note that people see this as my bill. For those people who are at home watching this, it is not my bill. It is a terrible piece of legislation brought in ad hoc by a group that quite frankly I do not believe has any confidence. As I said today, unfortunately it is the people of this province who are going to suffer from it.

I will be fairly brief, as I said I would, but I hope this government has learned a lesson from this bill. I suspect they have not. Again, just as a quick conclusion and a wrapup, the only good thing that came out of this particular bill was the opportunity to spend a little bit of time with our colleagues going across the province and learning what some of the other communities are feeling about a number of issues. Outside of that, there was no good that came out of this particular bill and we will be voting against it.

Mr Sorbara: Oh, here we go.

Mr Mills: My colleague across there says, "Here we go." I do not know what he is expecting, but I am very pleased—

Mr Sorbara: I'm expecting a marvellous speech.

The Acting Speaker (Mr Farnan): Order. There really is no cause for this kind of interjection. The member has simply started to address the House, and I request that the member address his comments through the Chair and that members refrain from interjection.

Mr Sorbara: Well, I'm looking forward to your speech.

Mr Mills: Thank you. I must say that during the summer months when I got to go across the province with the other members of the standing committee on administration of justice, it was an enjoyable time. It gave me the opportunity to get some insight into some of the members, their thoughts on many issues, not only on this issue. We got to know one another better. I think that nothing but good can come out of that sort of process, as we discussed this bill and as we went across the province.

As members know, this is perhaps one of the most contentious issues that has appeared in the Legislature. It generated more correspondence and more input than perhaps any other item has ever done here before. It is not new; it was done before, way back in the 1800s and so on. It has always been a sore point with many people in Ontario.

On the tour, I can remember that we would go into one particular city and, for an example, the owner of the local Canadian Tire store would appear before us and he would really go on about needing the ability to open on Sundays. That was the problem. You could not get a consensus, because then we would go into another community and the Canadian Tire store owner would say that on no account did he want to open or have anything to do with Sunday shopping or Sunday working.

The same could be said for chambers of commerce. We had points of view from chambers of commerce that were not consistent. I can say that with anything we faced the points of view were not consistent. As a result, it was a very difficult period in which to listen and form some consensus of what the government or what the committee should do on a very contentious issue.

1630

As the Solicitor General has stated, Bill 115 is fundamentally about maintaining and enriching the community life of Ontarians. This will now be achieved by this legislation which preserves holidays as common pause days in this province. A common pause day means just that: a day on which most people do not have to work.

I remember speaking to the bill when it was first introduced some months ago, speaking about how precious Sundays were to me, having been brought up in England before the war in a home where we always had to work, every minute of the day, to make a living. I can remember, when I used to work on Sundays, saying just a simple thing, "Wouldn't it be nice to lie in bed and read the Sunday newspaper and look at the football results?" That is how precious Sundays were and still are to me.

These common pause days listed under the Retail Business Holidays Act are in harmony with traditional rhythms of the week in Ontario. This ensures that families can enjoy these days together and individuals can pursue personal interests to rejuvenate and refresh themselves. I think it is very important in this day where we are faced with stress, marital separation and all kinds of family problems that we get a chance to rejuvenate and refresh ourselves. These opportunities today are all too rare in this hectic and often frantic society we all live in. Without thoughtful legislation they could disappear for ever.

I spent the summer listening to many people make presentations to the standing committee and I can say with some firsthand authority that many people in this province believe common pause days are essential to our quality of life. I can also say that I echo those sentiments personally. Urban, rural, north, south, east or west, support for the common pause day legislation came forward from all over Ontario.

Clearly this is an important issue, and it is an issue that is important to Ontarians of any economic, geographic or cultural background because we are all concerned about our quality of life. That is why this government is committed to Bill 115, a bill that preserves the concept of common pause days in Ontario while protecting the rights of retail workers and also recognizing the unique requirements of the tourism industry.

Yes, retail workers in the tourism industry have been singled out, and for very good reasons. Retail workers are not second-class citizens in Ontario. They should not have to give up their day of rest to provide unlimited shopping convenience for others. They are also generally underpaid, underorganized and otherwise unprotected. Tourism is the cornerstone of Ontario's economy and does require a seven-day-a-week operation. As well, the tourism industry provides unique opportunities for Ontarians enjoying their common pause days and for the tourists who spent over \$16 billion in our beautiful province last year alone.

With respect to the provisions in Bill 115 that permit retailers to open on Sundays in December prior to Christmas, I urge this House to act quickly to pass this important and timely legislation. The government has recognized retail businesses and the fact that those few weeks before Christmas are so vital, perhaps even to the life and death of any given particular retail business. We have recognized that and we have shown flexibility, and we have also shown some consideration for those folks in this time of need.

We must eliminate confusion on the part of retailers, retail workers, municipalities and all other Ontarians. With that, I urge all members in the House to pass this legislation quickly so that we can get on and people can get to know where they stand on this important issue well before the appointed time runs out.

Mr Sola: It is my pleasure to join in this debate, not because I was a member of the committee this time around but because I was a member of the committee the previous time around when we were debating Sunday shopping and Sunday work legislation, Sunday protection, as Bills 113 and 114. It seems to me we had a very extensive trip around the province, because the Liberal government of the day was not afraid to visit the cities that were opposed to its legislation and wanted to hear the opinions of all the people of the province.

If memory serves me correctly, the groups most vehemently opposed to Sunday shopping were the Christian denominations that believed in Sunday as the common pause day. I recollect a certain member of the opposition, the member for Cambridge, being quite histrionic in his opposition to the bill of the day. As a matter of fact, he almost caused a riot in Brantford, and he did the same in Windsor. He carried around a little rubber chicken because he decided in his own mind that the Liberal government of the day, by asking municipalities, as the lowest level of government, to have the final say over Sunday shopping, was taking "the chicken way out." The other thing he said with that same rubber chicken was that I think he put earmuffs on that chicken and said, "I hear you, but I am not listening."

When we see the result of Bill 115, it brings back to mind the very words of the member for Cambridge, the former Solicitor General and now the Acting Speaker, and I am wondering how satisfied he is with this bill. It seems this government claims it has a common pause day and yet December is open for business. When did December stop being a part of the year? If it is a common pause day, it should be common throughout the year, not 11 months of

the year. I think this government's claim of having observed the common pause day falls by the wayside. By the way, Christmas happens to be the most important festival of the Christian year.

Those people were opposed to Bill 113 because they were afraid it would bring about "wide-open Sunday shopping," to quote the member for Cambridge and the member for Etobicoke-Rexdale and the member for Rainy River and David Reville, who is now the principal adviser to the Premier. Bill 113 was going to bring about "wide-open Sunday shopping," and yet it did not happen.

Municipalities at the time were widely opposed to Bill 113 because they did not want the ball dropped in their laps. Yet if my reading of the hearings on Bill 115 is correct, municipalities favour the former Liberal government's legislation. Windsor, which vehemently opposed getting the authority to decide whether or not to open, now likes having that authority. All the border towns which have to compete with the wide-open Sundays in the United States and which are afraid of losing business because of the cross-border shopping spree prefer to have the right to decide for themselves whether they want to open or close.

1640

I am wondering whether the words of the member for Cambridge are not appropriate to this present NDP government, "I hear you, but I'm not listening," because the people seem to have changed their minds since the committee went around the province for hearings on Bill 113. Now the province seems to favour Sunday shopping.

I wish this government would at least be open about which way it wants to head. On the one hand the government is trying to appease the lobby that wants to have closed Sundays and a common pause day, and at the same time it is trying to appease those who want to work Sundays and shop Sundays. I think Bill 115 not only fails to satisfy both camps but aggravates the opposition of both camps.

As far as labour protection under this government is concerned, I can recollect quite clearly all the arguments about how it would be impossible to protect workers who refuse to work Sundays or who do not want to work Sundays but who are vulnerable because they do not have any seniority or they do not have a union protecting them, or if they do have a union protecting them, the boss would still be able to get back at them in some way or another.

I think it would be interesting if the member for Cambridge and the other members I have referred to read their own comments in Hansard and see how satisfied they are with the protective elements of their own legislation regarding Sunday shopping. I think their own words would come back to haunt them.

The member for Cambridge identified that toy as a chicken. It took a member of the Liberal government of the day, Harry Pelissero, the former member for Lincoln, to identify the bird properly. The bird was a duck. I do not know whether the member for Cambridge will admit to having misidentified his showcase even to this day. The NDP government still cannot tell a chicken from a duck. They still call Sunday shopping closed Sundays, they still

consider wide-open Sunday shopping as having satisfied the craving of the public of Ontario for a common pause day, and at the same time they seem to think, despite the fact they are offering neither, that their labour legislation protects the workers who do not want to work when this government will be legislating them to work.

I want to point out the hypocrisy of travelling the province, railing against wide-open Sunday shopping on a bill that allowed municipalities which are the closest to the electorate to decide what the people in their particular area wanted and the step they have taken now, which seems to be going back to the future, because this is a pale imitation of the former Tory legislation which tries to reinvent the wheel by reimposing the tourism exemption while at the same time handcuffing the municipalities, not allowing them to decide what is or is not a tourist area and forcing them to go to public hearings which will just delay matters, make things more costly and exasperate both the applicants and those opposed.

Mr Hope: During that speech I had a hard time understanding whether the legislation was too tough, not tough enough, weak or whatever. There was no clear distinction. I can understand why the member for Cambridge walked around with and took to committees a chicken or a duck with earmuffs on when the Liberals introduced legislation. It was because they did not listen. This committee—I was not part of the committee—listened to the people and the concerns they were raising under tourism and other areas. I commend the government members for listening to some of the concerns. But I share the concern the member for Cambridge had when he was on the committee and walked around with his rubber duck.

There was reference made to the fact that a lot of municipalities were not in favour of the Liberal legislation. I might as well tell the members why a lot of municipalities were against the Liberal legislation. A lot of the labour movement people were out there talking to the municipalities and putting resolutions forward that indicated how devastating the Liberal legislation was to workers in a lot of workplaces. We have added a lot of extra areas. Under tourist restrictions we added protection for the workers in those jurisdictions, which is very important.

I was one of the people who fought against the Liberals. I look today and ask if the legislation goes far enough in my expectations, and I say no, it does not. But I know it is a stepping stone in the right direction to protect those communities and those workers who need protection. That is talking about listening to people if I am willing to set down my beliefs and my understanding of legislation and worker protection, set aside my personal viewpoints and listen to the concerns of my community, because when you pose the questions in my community, "Are you in favour of Sunday shopping?" they say yes, and "Are you in favour of Sunday work?" they say no. That is the important issue the Liberals neglected. I understand perfectly why the member for Cambridge walked around with a chicken with earmuffs on. It was because the Liberals did not listen before.

Mr Bradley: I appreciate the opportunity to make a couple of observations about this piece of legislation because I am one who watches very carefully during election campaigns to see what people are promising. I listen to people out there. Their concern is that people in opposition say certain things and people during election campaigns say certain things, and then they see something different showing up in the form of legislation.

Even if you disagree with what an elected government said it was going to do when it was in opposition and on the campaign trail, at least you know what you are disagreeing with. What we have in this legislation, I am afraid, is something that is neither fish nor fowl. We have so many exemptions in this legislation that it is going to be totally chaotic.

Either the government is in favour of closing down this province on a retail basis on Sunday or it is in favour of opening it up. My fear is that with all these exemptions it is going to be a total hodgepodge across Ontario. Workers in some parts of the province will have to work on Sunday, workers in other parts of the province will not have to work on Sunday and the government will not achieve what it set out to achieve in the first place.

In addition to this, there is provision for going to the Ontario Municipal Board. Those of us who sit on the standing committee on government agencies have found the Ontario Municipal Board is already full. It cannot even handle the material it has now. We are going to ask the Ontario Municipal Board to make some decisions on whether or not there is to be an allowance for shopping on Sundays and presumably on holidays in individual circumstances.

One would look for a bill that said one thing or another and then people in this House would have to make a choice, but this bill does neither, close on Sundays or open on Sundays.

1650

Mr Stockwell: It is somewhat baffling to listen to the defence of the Solicitor General and his partners in perpetrating this piece of legislation. It is humorous to hear exactly what the interim leader of the Liberal Party said when he was on the campaign trail—there was no chance we were going to shop on Sundays—and we had a union worker here who himself fought this piece of legislation the Liberals brought forward about Sunday shopping, etc. How he can stand in his place today and suggest, “I can set my beliefs aside, because my constituents want to have Sunday shopping”—and then you ask whether they want to have working on Sunday and he says no.

So what have we got? We now have a member of this caucus and this party who says, “Gee, I think we should have shopping on Sunday in all the months that start with the letter D,” and that is about how much sense this piece of legislation makes. “All the months that start with the letter D you can shop on Sundays; anything else you can’t.” When they broaden their horizons, they may move to months that start with the letter J as well as D and June and July would open up. Of course the member could set his beliefs aside long enough to do that as well.

That rivals this nonsensical piece of legislation, and I will tell members, every single opening in any municipality is going to appeal to the OMB. We all know that, because there are groups out there that will want to see them open. It is neither fish nor fowl. They cannot make up their minds. They are not right-handed; they are not left-handed. They do not know what they are doing.

They made a series of promises in the election. They broke those promises, and then they could not keep their promises. They cannot even break their promises properly. This is insane.

The Acting Speaker (Mr Farnan): Further comments and questions? The member has two minutes in which to respond.

Mr Sola: In response to the member for Chatham-Kent, on whether this legislation is too tough or too weak, I would like to say it is neither. It is a sham. It does nothing to achieve the ends it supposedly is intended to achieve. It is just an exercise in pantomime to appear to be doing something while doing nothing. There is no substance in the bill. It is interesting to note that the member was not a member of the committee, yet he can guarantee that the committee listened. That is something very unusual. He did not sit on the committee, yet he can verify that whatever arguments were heard by the committee, the committee responded to them.

I would like to thank the member for St Catharines for pointing out that this is another broken promise by the NDP government, another NDP flip-flop. His description of this legislation being neither fish nor fowl is quite accurate, except I would say in a sense it is foul, to agree with the odour emanating from another broken promise.

I would like to thank the member for Etobicoke West for pointing out that the NDP has once again set its beliefs aside by allowing Sunday shopping, pointing out that every municipality will have to appeal to the OMB and pointing out another type of incompetence most of us were unaware of, that the government cannot even break promises correctly.

Mrs Marland: In rising today to speak to Bill 115, An Act to amend the Retail Business Holidays Act and the Employment Standards Act in respect of the opening of retail business establishments and employment in them, I am happy to have the opportunity. It happens to be a subject I think I have risen in this House every year for the past six years and spoken on.

Nothing changes. We still have a piece of legislation in front of us that is totally unworkable. It does not do any of the things this socialist government purports to support. It does not in fact even begin to implement the promises on which they campaigned, the promises they made to the people of Ontario, the promises they espoused very vigorously about protecting workers from working on Sunday. They talked about the need for a common pause day to protect the family unit, to give families and friends the opportunity to spend Sundays together. There is nothing in here that does any of those things. Bill 115 is a total, absolute sham.

The minister for northern affairs—

Hon Mr Wildman: Natural Resources.

Mrs Marland: The Minister for Natural Resources, the member for Algoma, was a fairly reasonable individual when he sat in opposition. He stood in opposition on this side of the House, as we did, and lambasted the Liberals for Bill 113, because Bill 113, the Liberal bill dealing with the subject—

Hon Mr Wildman: Where are the Liberals?

The Acting Speaker (Mr Farnan): Order. The Minister of Natural Resources will please refrain from interjection and allow the member for Mississauga South to continue.

Hon Mr Wildman: Mr Speaker, I thought actually I was being helpful to the member.

Mrs Marland: It is always the same. When you say anything in this Legislature that hits home with this socialist government, the members opposite get very upset. I just came from speaking at a committee meeting where the six socialist government members were equally upset. They just do not want to hear the truth.

The truth is that every one of them campaigned promising the people of this province that there would be a common pause day legislated in this province, that people would be protected from having to work on Sundays. This bill simply creates a chaotic situation. This bill creates a further problem for the municipalities.

Even if the socialist government members do not want to listen to the opposition parties in this House, I would have thought they would want to listen to their unions. We are told they are very concerned about workers, we are told they are very concerned about jobs and employment, but when it comes to an issue of whether or not people are going to have to have Sunday working because we have Sunday shopping, suddenly they are nowhere on this issue. They are no longer protecting the workers who do not wish to work on Sundays.

These socialist government members do not even listen to the Association of Municipalities of Ontario. AMO's response to the former Liberal government's bill, Bill 113, was, "Please do not give the jurisdiction for whether or not we have Sunday shopping to the municipalities, because if you do, then we will have one municipality opening and an adjacent municipality that may choose not to open having to open because it is adjacent and one group of retailers is then in competition with another."

The fact is that what is happening with this socialist government bill, Bill 115, is that we have a situation that is even worse than under the Liberal Bill 113. We have the whole problem compounded. The fact remains that the cost for businesses to be open is always the same per day of the week.

The other thing that does not change with the cost of doing business is the amount of disposable income the public has. When the argument is that the public wants stores to be open on Sunday, it does not mean they have any more money to spend. People do not suddenly get a raise or an increase in their wage packets because they can shop on Sundays. But there are people for whom working on Sunday is a great impediment to their wellbeing.

I personally am totally opposed to Sunday shopping because of Sunday working. For six years I have stood in this House and said I support a common pause day.

1700

Mr Sorbara: Talk to Mike Harris about that.

Mrs Marland: I have a right to my individual opinion and that is the opinion I am putting on the record.

My opinion is based on public meetings I have held in my riding. It is my understanding that during all this debate of the last six years on whether we should have Sunday shopping and Sunday working, I was the only member, in the former Legislature at least, who held a public forum on Sunday shopping. From the outcome of that public forum and all the telephone calls and letters we have received in my community office and my Queen's Park legislative office, we have an eight-to-one majority opposed to Sunday shopping and Sunday working in my riding of Mississauga South.

We respect very much that if Sunday is not the day of practice of religion or faith for individuals, they have the option of another day off. That we totally respect and that was totally respected in the original legislation of the former Conservative government. What we have here is a situation where this legislation is so two-faced that it says it is okay to be open some Sundays before Christmas and not other Sundays. As the member for Etobicoke West said so well a few moments ago, what will it be next? It is now the Sundays in a month beginning with D. What months are next?

Either we think it is all right for people to have to work on Sundays or we do not. The fact is that all the rhetoric about who already works on Sundays is not an argument to expand the number of people who have to work on Sundays. Certainly there are all kinds of people who work on Sundays now. I have heard all this before. I do not need to be told that people in transportation, hospitals—health care providers—restaurants, some entertainment venues, etc, all work on Sundays. That is true. But when they took their jobs and went to work for those establishments, they knew it involved Sunday working. It was a choice they made knowing what they were going into.

Now what we are looking at with wide-open Sunday shopping are people who chose a five-day work week so they could spend the weekends with their families, or their friends if they do not have any families, and for their own leisure, recreation, and in many cases, their opportunity to worship in a church of their faith on Sundays.

Weekends, whether we like it or not, are important to our society. We only have to look around us to recognize what is happening to our society—the loss of our social fabric, the erosion of values. All of these things are happening because we are losing the very core, the very stability of what a balance between work and recreation is about.

We have children in schools Monday to Friday. Saturday and Sunday are the only times families have to get together. I have heard an argument about, "I like to go shopping with my children on Sunday." I think that with all the free, available recreational opportunities there are in

this province, there are better things to do with our young people on Sundays than to go indoors and shop. Frankly, when they do, it means that the people who are serving them do not have the same opportunity. The people working in those stores they say they like to shop in do not have that option of doing anything with their families on Sunday, whether it is to take their children to church, shopping or some other leisure or recreational activity, maybe just visiting family. They do not have that opportunity because those people have to work in order that those establishments are open and operating.

In consideration of the minimal amount of time left to debate Bill 115, I simply say in closing that I am totally and unequivocally opposed to this legislation. I think anyone who votes in favour of it obviously does not recognize the chaos with which it will impact on this province. The fact is that we are going to have appeals to the Ontario Municipal Board that will be costly and time consuming for the people of Ontario. We could avoid some of this expense to the taxpayers of Ontario if, for once, we could develop a piece of legislation not like Bill 115, but similar to the legislation the Conservative Party of this province had when it was the government. Once and for all, let's protect the rights of individual Ontarians to a common pause day.

Mr Mahoney: I am interested in the comments in opposition to the bill. I certainly oppose the bill too, but from a little different perspective. I suggest the member might attempt to hold a forum today on Sunday shopping. She might find a little different result than eight to one against it, because people realize that with the state of the economy in this province, people in business today need every competitive edge they can get, particularly in border communities.

The member will recall, from the days when she and I were both serving on Mississauga council, that under the Tory legislation, when we had the option and the opportunity to allow Sunday shopping based on a tourism exemption, we exempted the Malton Fruit Market and said it was a tourist attraction and we exempted the Port Credit business improvement area and said it was a tourist attraction. The member may have been opposed to that—I do not know—but based on the tourism exemption, we allowed in our community the opportunity for business areas that needed that extra day to open on Sunday.

Surely to goodness it is time we got government out of the shopping malls and out of the stores and out of the pocketbooks of the residents, so that if people want to shop on Sunday, they should simply be allowed to. At least the existing Liberal legislation that is in place allows for a community to make its decision not based on some political puffery or decision as to whether a fruit market or a business improvement area is a tourist attraction, but based on the will of the people.

In the recent municipal elections there were countless plebiscites taken all over this province. I suggest that if people were listening, they would see that the people of Ontario would like government to get out of Sunday shopping regulation. If they want to shop, let them. I too am opposed to this legislation.

Mr Lessard: The member for Mississauga South said that weekends are important to families. I cannot disagree with that. In fact, I am looking forward to spending the weekend with my family just as soon as possible.

Mr Mahoney: Are you going to go shopping in Detroit?

Mr Lessard: I am probably not going to be shopping this weekend.

I agree with the member for Mississauga South as well that there probably are a lot of other pastimes that are a lot more worth while and enjoyable than going shopping with family members, especially on Sundays. However, there are a lot of people who said to us while we were out on the committee during the summertime that they do want that opportunity to shop with their families on Sundays.

I do not happen to share that point of view. However, the member for Mississauga South does illustrate the fact that there is a very wide divergence of opinion with respect to this issue. She indicated that she had a public forum where a great deal of people were not in favour of Sunday shopping. The member for Mississauga West suggested that maybe she should have another forum, that she might find there would be far different results if she were to do that again. It may be possible. I know there seemed to be a change of opinion in the Windsor area in the nine months that people were able to shop on Sundays, when the legislation was before the courts.

I appreciate the fact that she indicates what her own personal position is with respect to this issue. I can tell her that she does not really have the same position as other members in her party, but she does indicate the great divergence of opinions with respect to this issue.

1710

Mrs Marland: I appreciate the comments from the member for Windsor-Walkerville, especially where he says that he knows the views of the people within my own caucus. I think that is very interesting.

In responding to the member for Mississauga West, when he talks about the state of the economy as being a reason to have stores open and to have that option, he obviously is not listening to people within his own constituency, because Lansing Lumber, which is owned and operated by Howard and Ruth Kitchen, has invested thousands of dollars and taken a very public stand on behalf of its employees to make the point that apart from forcing people to work on Sunday if it is open on Sunday, it also adds to the cost of its operations. Instead of paying to operate six days a week, 12 hours a day, we now would enforce on them a seven-day operation.

As I said earlier, and maybe the member for Mississauga West was not here at that moment, the cost of doing business is what the retailers have to deal with. The fact is that the public does not have any more disposable income to spend, so whether they spend it on Sunday or Saturday or any weekday, it does not increase the amount of business they do, and that is the whole point.

Also, I wish the member for Mississauga West would listen to the wishes of his own mayor, who I understand is supporting him in his leadership bid for the Liberal Party, because Mayor Hazel McCallion does not want it as a

municipal option. She has been so outspoken; she has said so many times it is a provincial jurisdiction. For this member to say it is something that the people in our ridings are now in favour of is something I challenge him on, because I am quite sure he has not had a public meeting on this subject.

The Speaker: Further debate, the member for Welland-Thorold.

Mr Kormos: Thank you, Mr Speaker. I notice the tone of surprise in your voice. I was surprised too when I was told that, yes, I could speak to this particular bit of legislation, especially in view of some considerable criticism I have had and, I tell members, continue to have about this legislation.

I was here, as some of the members in this House will recall, for a couple of years prior to this last election in September 1990. I was elected in a by-election down in Welland-Thorold, where during that by-election, like my friend the member for London North, I campaigned strongly and clearly on behalf of a common pause day and in opposition to wide-open Sunday shopping.

When I came to this assembly as a member of an oh, so small caucus, I was given the opportunity to serve on the justice committee. Once again, like my more recent service on the justice committee, it was only temporary. I had the opportunity to engage in some of the debate about the first round—it really was not the first round; it was more like the third or fourth round—of debate and battle over Sunday shopping/common pause day. But it was the debate over the then Liberal government's bill creating the municipal option.

Just as I was opposed to wide-open Sunday shopping, I was opposed to this approach of municipal option, and I was not alone in that opposition. There was a great deal said in the Legislature by members of the opposition at that time and in the course of the committee discussions about the entire inappropriateness of municipal option, that if there was going to be legislation, it should be uniform, that it should be across the board, that it should be across the province, and that the provincial government, which has jurisdiction, should exercise that jurisdiction and should exercise it responsibly.

I opposed the Liberal government when they introduced the prospect of municipal option. Along with a whole lot of other people, I spoke about this whole business of municipal option inevitably creating wide-open Sunday shopping across the province if it was permitted to take its course, and I still believe that.

I suppose it comes down to the real battle. I recognize there are a whole lot of people out there. I am not about to say that my community is unanimous in its opposition to Sunday shopping or that it is unanimous in its support of a common pause day. I am not about to say that by any stretch of the imagination. I am prepared to concede that I do not think my community, Welland-Thorold, is much different than the communities of any of the other 129 people here in this Legislature in that there is a wide range of views.

There are no two ways about it. Big plaza owners, developers, the ones who are not going to have to go and work in those retail shops on Sundays, are outspoken advocates of Sunday shopping. They think it is just the neatest thing since buttered popcorn. They could give a tinker's dam, I am convinced, about the fact that people are going to have to leave their families, leave their homes, leave their grandparents, their children, their neighbours, their friends, their spouses and go work at a retail shop on a Sunday.

Just last Sunday I was down in Welland-Thorold, but I was blessed with the opportunity to be at the St John's Greek Catholic Church over on Second Street. I suspect there are some other people here in the Legislature who have been the guests of that particular parish. It is one that I am proud of my rapport with.

I was there with Rev Leslie Marajeau and Rev Deak and Father Dychuk. Father Dychuk is really the priest over at St Michael the Archangel Ukrainian Catholic Church, but since St John's Greek Catholic Church does not have its own full-time priest, it just has a deacon, Father Dychuk serves both parishes. Father Dychuk, a Ukrainian, to his credit learned Hungarian so that he could accommodate the Hungarian Greek Catholic community.

I was at St John's Greek Catholic Church for their special service which starts at 4 o'clock. It is their annual service which celebrates the parish. It is followed at 6 o'clock by the dinner in the basement, and people who do not make it to St John's Greek Catholic Church for the church dinner are missing out on the finest food that one could ever eat. Sharing the community that I did with those great people—children, their parents, factory workers, retail workers, office workers, retirees, farmers—I realized what an exemplary way to spend a Sunday, to share it with your friends and your family, to celebrate your church community, to celebrate the fraternity and sorority that you have with people like those great people in the parish at St John's.

Of course, women and more than a few men had spent some hours in the kitchen preparing that meal, just like others who spent time in the church lighting the candles, making sure flowers were laid out, making sure that all the celebratory tools were prepared. These were labours of love; these were labours of passion; these were labours of commitment to their faith and to the sense of community.

1720

It struck me that those people could not have done that had they been required to work in their retail jobs, because there are more than a few people in that parish who are retail workers. We would not have had that great celebration of community that we did were these people required to work on Sunday. I have a feeling that the celebrations at St John's church down in the basement on a Sunday afternoon and evening of community, well, they are not going to be quite as complete down the road as they have been in the past, because there are no two ways about it, the legislation before the House today retains local option. It is legislation I have expressed my concern about a number of times.

I am happy to have in the House here today people from Welland: Tony Wszolek and Leonard Wszolek. They are as typical a couple of Welland folk as you could ever find; hardworking people from a hardworking family; family people who care about that sense of family; who live within walking distance of their parents and grandparents and who still, by way of tradition, celebrate Sunday not just as a day of worship, although that is very important in so many people's lives, but who celebrate Sunday as a day of family and a day of community. I am proud of people like Tony and Leonard Wszolek and their family, and I know their parents, their children and their grandparents. I am proud of the kind of contribution they have made to our community.

We are talking about the children of immigrant parents here who have worked so hard. We are talking about the children of a retiree—Mike Wszolek retired from Union Carbide only last year—who remembers the fight to create the five-day workweek and who participated in that fight, that struggle, with more than a little bit of sacrifice on his own.

We are talking about people like Mike and Josie Wszolek, who fought hard and worked hard as members of their community to make sure that, yes, there was common pause time available to people and they celebrated that as quality time. That is right. I have a little bit of trouble because I have heard as part of this committee—I was permitted to serve with the committee for two weeks. I feel that I started too late and ended too early, but it was a fine two weeks and I enjoyed the companionship and the kindness of my colleagues from all parties.

But I heard from people across Ontario, just as I have been hearing from people in Welland and Thorold and in communities I am capable of visiting and listening to. I am so pleased about the Treasurer's recent announcement to freeze consultants' fees. Some members have heard my criticism of high-priced consultants, and I am convinced I can go back to Welland-Thorold or to virtually any town or city in this province on any weekend of the year and hear far better advice than we are going to get from high-priced pollsters, spin doctors and consultants.

I know the developers wanted to build new plazas and have their stores open seven days a week. These are the wealthy developers who have no intention of ever having to visit those workplaces on Sunday. They could not give a tinker's dam about the hardworking people. It is as often as not women who are going to be forced into working on Sunday with wide-open Sunday shopping.

We also have a couple of people here who have fought the good fight: Andy Faas, the executive vice-president of National Grocers Co Ltd, and of course Gerald Vandezande, the executive director of Fairness for Families. That is not to overlook by omission the not just hundreds but thousands of people who have fought the hard fight for a common pause day in this province. They fought it because of their commitment to church, community and family and because they believe the commercialization of that final last day of the week will impact, condemn and attack church, family and community. I agree with those people.

I know there are people who have been sold this bill of goods about the right to shop. Some of the same kinds of promoters and developers who were talking to the standing committee on administration of justice about the right to shop say, "Quality time; please bring your kids with you."

Of course they want you to take your kids with you when you are shopping at Eaton's, K mart or Zellers. That will tax the credit cards at two or three times what it would have been otherwise. Give me a break. You and I both know, Mr Speaker—I recognize the acknowledgement in your face—that those who talk about the right to shop on shopping plaza time as quality family time are not just out to lunch, they are engaging in flim-flammy that is not quite unequalled but none the less somewhat rare.

There is the whole issue of cross-border shopping. I grew up and continue to live in one of those communities close enough to the border that we are well aware of the phenomenon of cross-border shopping. Cross-border shopping has nothing to do with shopping on Sunday. It has everything to do with the fact that some things are cheaper across the border.

The fact is that those same people who are lured—and I am not about to condemn people looking for bargains, although we have to mention that the taxation that attaches to some of the products we buy here in Canada, which are inevitably cheaper in the United States, is the type of taxation that maintains a health care system of which we can be very exclusively proud. It maintains an educational system and a whole lot of other services that our friends to the south, Americans, simply do not have available to them.

So I do not buy the argument that we need Sunday shopping because somehow it is going to have an impact on cross-border shopping. It will have zero impact. The fact is that I am not convinced we need Sunday shopping in those weeks preceding Christmas because, and let's face reality, this is not going to be a particularly prosperous Christmas for retailers whether they are open seven days a week, six days a week or only five. The fact is that families are exercising restraint over their spending in a way that they have not for a long time. We are facing very difficult times. Free trade has robbed so many of our workers of their jobs.

An hon member: The GST.

Mr Kormos: And yes, the GST has created a tax burden on consumers. The GST imposed by the federal government has created a tax burden on consumers that make it impossible for them to carry on in a way that retailers and a whole bunch of other sectors in the community would want.

I know all about small businesses. My family, my grandparents and then my parents ran family businesses before I was born and all throughout my life living with my family. I worked in those small businesses as a kid. Small businesses need a common pause day more than anybody in the retail sector because those small businesses are small enough that they do not have to hire great numbers of outside help, but big enough that they can sustain families and support them and send kids on to university,

kids like myself who were blessed with opportunities our parents and grandparents never had.

Small businesses are going to be cursed and damned into oblivion by wide-open Sunday shopping. That is the truth. Small business people are not calling out for Sunday shopping. Small business people are pleading with government to please provide them with at least one day of rest, because they are simply not going to be able to compete with the K marts and the Zellers and the chain stores if they are forced to stay open seven days a week. They simply cannot do it.

1730

It is going to kill small-town downtowns. It is going to be the final nail in the coffin of small-town downtowns. Thorold resents being called a town, as well it should, because it is a city; but it is a nice, healthy community that is still reasonably small in the total scheme of things. Sunday shopping will be the death knell for small-town downtowns, like Welland, like Thorold.

I am left with some very difficult choices. I am oh so impressed with the arguments that again Mr Vandezande made on behalf of families. I am impressed with the logic and the reasoning of people like Gerrit de Boer from Idomo Furniture who almost singlehandedly has persevered in bringing this issue, a common pause day, home to people across the province.

I will tell the members this, and I am recommending it to people who are listening now: I think we should pay close attention to those people like Gerrit de Boer from Idomo, like Andy Faas from National Grocers, and I intend to restrict my patronage to those retailers who have fought the good fight for a common pause day and for family and church and community. If I have to make a choice, my choice will not be hard to make. I will be buying at Idomo and Gerrit de Boer before I will be buying from somebody who is a fanatic about wanting to commercialize that final day of rest, that final common pause day.

I am left with something of a dilemma. I am also thankful to the Solicitor General for permitting me to speak on the legislation, and I have not been at all envious of his role. He has been thrust into a position in cabinet and acquired the carriage of this legislation, and was immediately struck with a number of forces coming at him from literally all directions. But about this I can be certain. I have been very specific and very clear about my support for common pause day and my opposition to wide-open Sunday shopping and I have been consistent in that regard, which is far more than I can say for most of the members of both opposition parties.

I am not happy about this legislation. I am not happy about Sunday shopping during the weeks in December preceding Christmas. I am not happy about local optioning. I am not happy about as yet non-existent, but I am told soon to exist, tourist criteria, but when I hear the Conservative member for Oakville South tell this House and the people of Ontario that he is opposing this legislation because it does not create wide-open Sunday shopping, I feel my hand being forced, I tell members with great reluctance, knowing full well the pain and the struggles that the

minister, the Solicitor General and his parliamentary assistant and, I am convinced, this whole government have gone through over the Sunday shopping issue.

Notwithstanding that, the final position is one with which I do not agree and about which I have great fears, because my fear is the fear of wide-open Sunday shopping. My fear is the fear of checkerboarding that is going to be created by virtue of local option that is going to create not cross-border shopping but cross-municipal shopping. It is going to put pressures on adjoining communities that wanted to hold the line and make them wide-open as well, which means we will have no common pause day and no day of rest and no day on which to celebrate church and family and community.

I am fearful about the fact that this legislation is not tough enough, but I am enthused by the fact that it is still one heck of a lot better than what the last government left us holding the bag on. I am confident that I do not want in any way, shape or form to be aligned with the Conservative Party, which would want to oppose this legislation not because it thinks the legislation does not create a common pause day, but because it thinks the legislation is not sufficient in creating wide-open Sunday shopping.

The honourable members will see I will not align myself with a party that has no concern for family or church or community, that has no concern for working people. I heard the member for Oakville South outside the House earlier today talking about how he wanted to be perceived as the stalwart defender of working people, yet his opposition to the prospect of a common pause day is a condemnation of working people to seven days of labour and a destruction of those things that even he should hold dear and important.

Mr Carr: On a point of order, Mr Speaker: I should let you know that I did not say that. I believe the member is mistaken and he should know that.

The Speaker: The member does not have a point of order; perhaps a point of disagreement.

Mr Kormos: Here I am. I argued as strongly as I could the position that I believe in. I persisted very much in what I believed in for the last year, two years and three years. I am in a position where I vote with the Tories against working people and against families or where I vote with my government in support of legislation which I am not particularly enthusiastic about but which I concede is again a far cry better than what the last government hung us with.

My position on local optioning, on tourism criteria by regulation, has not changed at all. My fears about this legislation being less effective than it should be remain.

But my fears about the Tory agenda of wide-open Sunday shopping are so overwhelming that it is my intention to vote with the Solicitor General in support of this bill and to work as hard as I can to achieve the goals that the bill purports to achieve. At the same time I think it is incumbent upon people in this assembly to be honest about the fact that compromises have been made, and it is important for people in this House to monitor the legislation and its impact with a view not just to encouraging but to insisting

upon remedial legislation as promptly as possible in the event that my worst fears about the inadequacy of this legislation are realized.

Mr Mahoney: I have now seen the ultimate form of justification. I have now seen a member stand up and pontificate at some length about how wrong this legislation is but then say he cannot support it because the Tories support it. He has found a way to take himself full circle and show that clearly what we have been saying is correct, that many of the members over there have principles, and if we do not like them, they have others. That is clearly the message we just got.

Let me ask the member to come back in his two minutes and tell this House—he went on at some length about the church serving dinner—who cooked the dinner? It was on a Sunday. Or did they do it on Saturday? Who served it? Who cleaned up afterwards? Who works in the police departments, in the fire departments, in the recreational halls, in the arenas in the community centres? Who works in the hospitals? Who works in emergency services? Could the Ministry of Labour tell us who works in the steel industry 24 hours a day, seven days a week, all over this province?

Now this wonderful government has come along and decided there is one specific sector that says, "We're going to generate a common pause day except in December," for some reason. I guess a lobby got to them. Once again their principles have been put aside for other sets of principles.

The inconsistency of the former speaker is unbelievable, but it fits into the inconsistency of this government that fails to understand that small business, particularly in border communities, sits in darkness on a Sunday while in the outlet malls in Niagara Falls there are hundreds, maybe thousands, of Ontario licence plates on vehicles while people shop and spend their money. These people have their heads in the sand and are not paying attention to modern-day reality.

1740

The Speaker: Questions or comments? The member for Downsview.

Mr Perruzza: I appreciate the opportunity to address some of the comments that have been made by the member for Mississauga West. My comments are not going to be very long, but when the member talks about cross-border shopping and he talks about Sundays—

Mr Mahoney: On a point of order, Mr Speaker: I understood from the rules and procedures that the two-minute comments were to the speech that was given by the member, as opposed to my remarks. I would be delighted to cut in and debate with the gentleman, but I would like to hear his opinion on what the member for Welland-Thorold said.

The Speaker: The member for Mississauga West indeed has a valid point of order. The comments and questions opportunity is to be directed to the member who made the speech, and in this case it is the member for Welland-Thorold.

Mr Perruzza: In that case, I will wait for another day.

The Speaker: Further questions or comments? The member for Welland-Thorold has up to two minutes to respond.

Mr Kormos: I have to use this two minutes most carefully. What kind of person, what kind of mind, would equate the emergency services of hospital care, of health care, with the need to buy shoes or television sets or clothes? What kind of mind would equate the necessity of police work with the need to provide retail services seven days a week rather than the six days on which they are provided now?

If some of those women from the Hungarian community in Welland were here to listen to this comment about their labour of love and faith on a Sunday, they would be most outraged. As a matter of fact, the member for Mississauga West would have his ears pinned back good by some of those ladies from St John's Greek Catholic Church. They would straighten him out in short order. These ladies and men, with their faith and compassion for each other and their enthusiasm about sharing Sunday, have no difficulty in equating work as in work for wages, have no difficulty in understanding how it is that we do not need to have Sunday commercialized, that we need to maintain Sunday as a day of rest, as a common pause day, as a day of faith and as a day of community.

The Liberals and the Tories are insistent that "workers be damned." Make people in non-essential sectors work seven days a week. Those people, as often as not earning the lowest of wages, unprotected by trade unions, let them be damned and let them serve the types of minds that occupy those benches. I say they are wrong. I say that is a frail and pathetic response. They may well have their day. The frailty of this legislation may well give them what they seek, but let them be a little bit clearer about where they really stand on the issue.

Mr Sorbara: I guess the orchestra is packing up its instruments; the windbags have now all spoken.

Mr Mahoney: A point of privilege, Mr Speaker.

The Speaker: I think you probably have one.

Mr Mahoney: I can only assume my honourable friend was referring to the windbags opposite. I wish he would take the time to clarify his statement in this House.

Mr Sorbara: I will not have any comment on that other than to say that I do not think we are going to bring the leadership campaign into this chamber.

I guess I just do not have any comment whatever about the remarks of the member for Welland-Thorold, who tried to justify in a very loud speech why he thinks the legislation is entirely the wrong way to proceed, yet is going to vote for it. I find that very difficult to understand.

We are now into the final minutes of the debate on Bill 115. What I would remark in closing this debate on behalf of my own party is that even the arrangement and commitment of the government and the government House leader today to provide me with some time to reflect on where this bill has gone over the course of the past five and a half months has not been honoured. I think it is just another example of the difficult time this government has had in ordering its agenda.

I want to say just a couple of words about the course of consideration of this bill. I thank particularly the member for Prescott and Russell and the member for Nepean, both members of my party, who did such an admirable job in considering the bill during public hearings and finally debating the bill during a very lengthy clause-by-clause consideration.

I also want to say a word of congratulation to the member for Oakville South, who is elected for the first time to Parliament and who did, I think, a very commendable job in considering the bill in all of its aspects and offering an opposition that was both intelligent and informed.

Mr Mahoney: He wasn't that good.

Mr Sorbara: No, he was pretty good, as a rookie.

I want to tell my friends in this House what is wrong with this bill. I want to say to them that what is wrong with this bill is the same thing that is wrong with so much of what this government has been doing in its first 15 months in office.

The Treasurer the other day had yet another crisis with his budget, but he was not able to realize and he was not able to acknowledge in this House that the budget is in shambles because the economy is in shambles. In his defence and his suggestion that the federal government is going to bail us out, somehow he thinks he is suggesting an answer.

What is wrong with this government is what the Minister of the Environment did when she introduced Bill 143, suggesting that the garbage crisis can be solved by taking away the rights of this Parliament and the people of this province.

What is wrong with Bill 115 is that it has us debating a topic that has now passed by the people of this province. They are no longer interested in a government and a Parliament trying to make their choices as to what they do on Sunday or any other day.

If the government members wanted to see the real issue in retailing, they should have been with us on the committee and they should have walked the streets of Windsor to see the empty stores. They should have walked the streets of Sault Ste Marie to see store after store on the main street of Sault Ste Marie and the main street of Ontario for rent, gone out of business. They should have come to Cornwall to see that business after business in the retail sector is feeling the pain of a crushing recession.

The Solicitor General says he is going to protect retail workers. I will give him another way of protecting retail workers. He should give them an opportunity to work. Our businesses are dying. Our businesses are uncompetitive. Our businesses can no longer attract the consumers they need to hire the workers, to pay the taxes and to feed themselves. For the past five and a half months in this Parliament, we have been trying to figure out a way to keep them closed on Sunday, even those ones that are willing to open. That was wrong.

Even if my friends in the government accept that they want to bring about a common pause day in Ontario, then, my God, this would not be the bill to do it. If they want to do that, they should bring in a bill authored by the member

for Welland-Thorold. This bill is not about a common pause. This bill is not about retail workers. They have solved the problem with retail workers, by giving them the absolute right to say they do not want to work on Sunday. What more could they do? What more could the law offer?

Mr Fletcher: You even said that in committee.

Mr Sorbara: No, no, I say to my friend the member for Guelph. It was the former Solicitor General, who was recently sitting in this chair, who said it would not work. I say it will work and I said it would work when I brought in worker protections as Minister of Labour, and that is good, that is fine.

Interjections.

Mr Sorbara: If members want to heckle, we can be here for about seven days if they like. They agreed to give me some time to speak.

If they want a common pause day for people, then they should give people a common pause day. They should give the steelworkers a common pause day, give the nurses a common pause day, give the factory workers a common pause day, give the construction workers a common pause day, give the ambulance drivers a common pause day. They should not stand up and hypocritically say in this House that because maybe 100,000 retail workers will not have to work as a result of this flawed, poorly thought out legislation, there is going to be a common pause day in Ontario. They know that is not true.

The even worse and even greater hypocrisy is that the government is going to bring in tourism criteria that are going to allow stores to open. My God, the Solicitor General congratulated the gentleman in the gallery for having chaired the body that is going to give us our tourism criteria: a very competent man who is the head of a grocery company and who was ably assisted by the president of Hudson's Bay Co. These are not tourist operations. If they have reached consensus, we know what those regulations say: If you say you are a tourist operation, then it is okay. That is another fraud on the people of Ontario.

1750

The government cannot have it both ways. They cannot say we have tourism criteria that will accommodate anyone who wants to open, a great consensus from Hudson's Bay Co and Loblaws, tourist outfits all. Yes indeed, they will comply. Is that what the Solicitor General is telling us? That is another deception, I say to him, in this stupid, crazy, unfortunate debate on Sunday shopping.

The December issue was the greatest folly. The government talks about a common pause. My God, December is the busiest month for all of us. We have Christmas plays to go to. We have shopping to do. We have work to do. We have driveways to shovel. In that month, for some strange reason, the notion of a common pause, which is at the heart of everything the Premier talked about when he was in opposition, does not apply. It is hypocrisy, it is stupidity and it will not work. The people simply want their freedom. The people simply want an opportunity to make up their own minds as to what they do with their lives seven days a week. The people simply want to decide whether

they will go out with their spouses and their children in the afternoon to a baseball game or to a park or to a store.

Local communities want the opportunity to establish their own standards. We saw that over the past two years. The community of Windsor decided it would prefer to allow its shopkeepers to stay open. This bill will pass and those stores will be forced to close. At the same time, the people of North Bay decided they wanted to keep their stores closed. North Bay's decision did not affect what Windsor wanted to do and Windsor's decision did not affect what North Bay wanted to do. People had the freedom to make up their own minds.

The New Democratic Party used to like to talk about freedom; now it talks about some stupid notion that somehow Bill 115 is going to give the people pause. It is going to give them no such thing. It is going to give lawyers hundreds and hundreds of hours to bill on behalf of clients who have to apply through the most complex application and appeal procedure we have ever come up with in this Parliament for so simple an issue as whether or not a store can open or close. It is going to give workers in this province no new opportunity to work. I think that is the greatest defect of all in this bill.

I know some people in this province would prefer to return to the Ontario of the 1940s and the early 1950s when frankly the swings in the parks were locked up. You could not see a movie; you certainly could not shop; you could not go to any kind of sporting event. You could not do very much of anything. There are some people who want to return to that kind of Ontario. It is very romantic and attractive, and I guess in a society based on freedom that is a valid point of view. But our obligation is to legislate for the Ontario that is about to be. The Ontario that is about to be does not want to discriminate between stores that are tourist stores and stores that sell chips rather than exotic fried potato chips to some tourist who is walking down the street. You cannot discriminate between a business that says, "I've got a 20% tourist clientele" and one that says, "Tourists come in maybe once or twice a month." If they want to open, they should be given their freedom. Democracies are all about vesting in people freedom.

We have considered this poorly drafted legislation freely in this Parliament for almost five and a half months. The legislation will not work. I can guarantee to members that within days of a new Parliament sitting this bill will be repealed because it does not work. In the meantime, I want to say to my friends on the government benches that in this matter, as in so many other matters, they have not served the people of Ontario well. That is why I and my party are going to be voting against this bill.

Hon Mr Pilkey: I would like to thank my colleagues in the House from all parties for their constructive exchange of views on Bill 115. There were days and moments when I did not enjoy the sessions in the clause-by-clause, but understanding that the government is here to promote legislation and the opposition is here to oppose, I took many of the comments then and today in that particular spirit. But overriding all of that, I did appre-

ciate the appreciation of the various members on the committee as they attempted to do their job.

It is important to remember that this bill, borne of long-standing principles, timely commitments and diverse and thoughtful input from the public, is also a significant piece of legislation in its intent, in its content and in the open and consultative way in which it was developed.

Now as we move ahead towards a new year, I feel confident that an important position we have taken will be affirmed in law and an important promise that was made to the people of Ontario will be kept. That promise, as outlined in the throne speech of November 1990, involves legislation that provides for common pause days all Ontarians can share in. I believe Bill 115 achieves that.

I conclude my remarks by again thanking members of the government caucus and the opposition for their very thoughtful input with respect to this matter.

The Speaker: Mr Pilkey has moved third reading of Bill 115. Is it the pleasure of the House that the motion carry?

All those in favour will please "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Call in the members.

1757

The Speaker: Pursuant to standing order 27(g), it is requested that the vote on the motion by the Honourable Allan Pilkey for third reading of Bill 115, An Act to amend the Retail Business Holidays Act and the Employment Standards Act in respect of the opening of retail business establishments and employment in them, be deferred until immediately following routine proceedings on Monday, November 25, 1991. That request is by the member for Niagara South, the chief government whip.

Vote deferred.

BUSINESS OF THE HOUSE

Hon Mr Cooke: Pursuant to standing order 53, I would like to indicate the business of the House for next week.

On Monday, November 25, following routine proceedings, we will have a vote on Bill 115 and then have royal assent on a number of bills. We will then resume the adjourned debate on second reading of Bill 143, An Act respecting the Management of Waste in the Greater Toronto Area and to amend the Environmental Protection Act.

On Tuesday, November 26, we will continue Bill 143.

On Wednesday, November 27, there will be an opposition day.

On Thursday, November 28, in the morning, we will deal with private members' business, ballot items 47, standing in the name of Mr Mahoney, and 48, standing in the name of Mr Harris.

In the afternoon, we will continue the adjourned debate on second reading of Bill 143, An Act respecting Management of Waste for the Greater Toronto Area and to amend the Environmental Protection Act.

The House adjourned at 1801.

**LEGISLATIVE ASSEMBLY OF ONTARIO
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ministre de la Formation professionnelle

Arnott, Ted (Wellington PC)

Beer, Charles (York North/-Nord L)

Bisson, Gilles (Cochrane South/-Sud ND) parliamentary
assistant to Minister of Northern Development and Mines;
parliamentary assistant to minister responsible for
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Boyd, Hon/L'hon Marion (London Centre/-Centre ND)
Minister of Community and Social Services, minister
responsible for women's issues/Ministre des Services
sociaux et communautaires, ministre déléguée à la
Condition féminine

Bradley, James J. (St Catharines L) Leader of the Official
Opposition/Chef de l'opposition officielle

Brown, Michael A. (Algoma-Manitoulin L) Vice-Chair, standing
committee on general government/Vice-Président du
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Callahan, Robert V. (Brampton South/-Sud L) Chair, standing
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permanent des comptes publics

Caplan, Elinor (Oriolet L) Chair, standing committee on social
development/Présidente du Comité permanent des affaires
sociales

Carr, Gary (Oakville South/-Sud PC)

Carter, Jenny (Peterborough ND) parliamentary assistant to
Minister of Citizenship, responsible for human rights,
disability issues, seniors' issues and race relations
/Adjointe parlementaire de la ministre des Affaires
civiques, déléguée aux Droits de la personne, aux Affaires
des personnes handicapées, aux Affaires des personnes
âgées et aux Relations interraciales

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Minister of Financial Institutions/Ministre des Institutions
financières

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de l'Ontario et du ministre de l'Économie

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Consumer and Commercial Relations/Ministre de la
Consommation et du Commerce

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of Municipal Affairs, government House leader/
Ministre des Affaires municipales, chef parlementaire du
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on administration of justice; deputy government whip/
Président du Comité permanent de l'administration de la
justice, whip adjoint du gouvernement

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Ministre sans portefeuille, whip en chef du gouvernement

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des affaires sociales

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Conservative chief whip/Whip en chef du Parti
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parlementaire du ministre des Transports

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président du Comité spécial sur le rôle de l'Ontario au sein
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Fletcher, Derek (Guelph ND) parliamentary assistant to
Minister of Consumer and Commercial Relations/Adjoint
parlementaire du ministre de la Consommation et du
Commerce

Frankford, Robert (Scarborough East/-Est ND)

Gigantes, Hon/L'hon Evelyn (Ottawa Centre/-Centre ND)
Minister of Housing/Ministre du Logement
Grandmaître, Bernard C. (Ottawa East/-Est L)

- Grier, Hon/L'hon Ruth A.** (Etobicoke-Lakeshore ND) Minister of the Environment, minister responsible for the greater Toronto area/Ministre de l'Environnement, ministre responsable du Bureau de la région du grand Toronto
- Haeck, Christel** (St. Catharines-Brock ND) Vice-Chair, standing committee on the Ombudsman/Vice-Présidente du Comité permanent de l'ombudsman
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- Hayes, Pat** (Essex-Kent ND) parliamentary assistant to Minister of Agriculture and Food (agriculture)/Adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation (agriculture)
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- Jackson, Cameron** (Burlington South/-Sud PC) Chair, standing committee on estimates/Président du Comité permanent des budgets des dépenses
- Jamison, Norm** (Norfolk ND) parliamentary assistant to Minister of Industry, Trade and Technology, responsible for small business/Adjoint parlementaire du ministre de l'Industrie, du Commerce et de la Technologie, délégué aux Affaires des petites entreprises
- Johnson, Paul R.** (Prince Edward-Lennox-South Hastings/Prince-Edward-Lennox-Hastings-Sud ND) parliamentary assistant to Minister of Revenue/Adjoint parlementaire du ministre du Revenu
- Jordan, W. Leo** (Lanark-Renfrew PC)
- Klopp, Paul** (Huron ND) parliamentary assistant to Minister of Agriculture and Food (food)/Adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation (alimentation)
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- Kwinter, Monte** (Wilson Heights L)
- Lankin, Hon/L'hon Frances** (Beaches-Woodbine ND) Minister of Health, minister responsible for the provincial anti-drug strategy/Ministre de la Santé, ministre déléguée à la Stratégie antidrogue provinciale
- Laughren, Hon/L'hon Floyd** (Nickel Belt ND) Deputy Premier, Treasurer of Ontario and Minister of Economics/Vice-premier ministre, Trésorier de l'Ontario et ministre de l'Économie
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- Mackenzie, Hon/L'hon Bob** (Hamilton East/-Est ND) Minister of Labour/Ministre du Travail
- MacKinnon, Ellen** (Lambton ND) Vice-Chair, standing committee on regulations and private bills/Vice-Présidente du Comité permanent des règlements et projets de loi privés
- Mahoney, Steven W.** (Mississauga West/-Ouest L) chief opposition whip/Whip en chef de l'opposition
- Malkowski, Gary** (York East/-Est ND) parliamentary assistant to Minister of Citizenship, responsible for human rights, disability issues, seniors' issues and race relations/Adjoint parlementaire de la ministre des Affaires civiles déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
- Mammoliti, George** (Yorkview ND) parliamentary assistant to minister responsible for the provincial anti-drug strategy/Adjoint parlementaire de la ministre déléguée à la Stratégie antidrogue provinciale
- Mancini, Remo** (Essex South/-Sud L) opposition House leader; Chair, standing committee on general government/Chef parlementaire de l'opposition, président du Comité permanent des affaires gouvernementales
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O'Connor, Lawrence (Durham-York ND) parliamentary assistant to minister responsible for the greater Toronto area/Adjoint parlementaire de la ministre responsable du Bureau de la région du grand Toronto

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O'Neil, Hugh P. (Quinte L)

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Owens, Stephen (Scarborough Centre/-Centre ND) parliamentary assistant to Minister of Financial Institutions, government whip/Adjoint parlementaire du ministre des Institutions financières, whip du gouvernement

Perruzza, Anthony (Downsview ND) parliamentary assistant to Minister for Skills Development/Adjoint parlementaire du ministre de la Formation professionnelle

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Sterling, Norman W. (Carleton PC)

Stockwell, Chris (Etobicoke West/-Ouest PC)

Sullivan, Barbara (Halton Centre/-Centre L)

Sutherland, Kimble (Oxford ND) parliamentary assistant to Chairman of the Management Board of Cabinet; Vice-Chair, standing committee on finance and economic affairs/Adjoint parlementaire du président du Conseil de gestion du gouvernement, vice-président du Comité permanent des finances et des affaires économiques

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Ward, Brad (Brantford ND) parliamentary assistant to Minister of Industry, Trade and Technology with responsibility for trade and technology/Adjoint parlementaire du ministre de l'Industrie, du Commerce et de la Technologie et délégué au Commerce et à la Technologie

Ward, Margery (Don Mills ND) parliamentary assistant to Minister of Government Services/Adjointe parlementaire du ministre des Services gouvernementaux

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Warner, Hon/L'hon David (Scarborough-Ellesmere ND) Speaker; Co-Chair, special committee on the parliamentary precinct/Président, coprésident du Comité extraordinaire de l'enceinte parlementaire

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Wessinger, Paul (Simcoe Centre/-Centre ND) parliamentary assistant to Minister of Health/Adjoint parlementaire de la ministre de la Santé

White, Drummond (Durham Centre/-Centre ND) Chair, standing committee on regulations and private bills/Président du Comité permanent des règlements et projets de loi privés

Wildman, Hon/L'hon Bud (Algoma ND) Minister of Natural Resources, minister responsible for native affairs/Ministre des Ressources naturelles, ministre délégué aux Affaires autochtones

Wilson, Hon/L'hon Fred (Frontenac-Addington ND) Minister of Government Services/Ministre des Services gouvernementaux

Wilson, Gary (Kingston and The Islands/Kingston et Les Îles ND) parliamentary assistant to Minister of Culture and Communications/Adjoint parlementaire de la ministre de la Culture et des Communications

Wilson, Jim (Simcoe West/-Ouest PC)

Winninger, David (London South/-Sud ND) parliamentary assistant to Attorney General, parliamentary assistant to minister responsible for native affairs/Adjoint parlementaire du Procureur général, adjoint parlementaire du ministre délégué aux Affaires autochtones

Wiseman, Jim (Durham West/Durham-Ouest ND) parliamentary assistant to Minister of Correctional Services/Adjoint parlementaire du ministre des Services correctionnels

Witmer, Elizabeth (Waterloo North/-Nord PC)

Wood, Len (Cochrane North/-Nord ND) parliamentary assistant to Minister of Natural Resources/Adjoint parlementaire du ministre des Ressources naturelles

Ziamba, Hon/L'hon Elaine (High Park-Swansea ND) Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations/Ministre des Affaires civiques, déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales

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Finance et affaires économiques

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Règlements et projets de loi privés

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Rôle de l'Ontario au sein de la Confédération

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Co-Chair/Coprésident: Noel Duignan

Members/Membres: Dianne Cunningham, Remo Mancini, Kimble Sutherland
Clerk/Greffier: Smirle Forsyth

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Legislative Assembly of Ontario

First Session, 35th Parliament

Official Report of Debates (Hansard)

Monday 25 November 1991

Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le lundi 25 novembre 1991

Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Numbering of Hansard

Effective with the opening of the Second Session of the 35th Parliament, Hansard issues and pages will once again be numbered on a sessional basis. Hansard numbering therefore will become consistent with Orders and Notices and Votes and Proceedings, and with other parliamentary publications throughout Canada.

For the last two years Hansard has been numbered according to the calendar year. Under this system, the numbering of issues and pages was restarted with the first issue in the calendar year, regardless of session or Parliament.

Under the new system, the sequence of numbering started in January 1991 will end with the final House and committee sittings of the present First Session. A new sequence will begin on the opening day of the Second Session, and each succeeding session, which will be issue 1 and begin with page 1. Committee reports likewise will be numbered from the first sitting of each committee in a parliamentary session.

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Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 325-7400.

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Avec le nouveau système, la numérotation commencée en janvier 1991 s'arrêtera à la dernière séance de la Chambre et des comités de l'actuelle première session. Une nouvelle série commencera le jour de l'ouverture de la deuxième session et des sessions suivantes : numéro 1, page 1. Les rapports des comités seront également numérotés à partir de la première séance de chaque comité pour une session parlementaire donnée.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 25 November 1991

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

ORGAN DONORS

Mr Henderson: Nicholas Martin, Carmen Young and Ashley Hughes are three children whose lives hang by a thread because Ontario lacks a mechanism for ensuring donor organ availability for transplant surgery. Nicholas goes to school every day with an oxygen tank, Carmen has had her seventh lung collapse and Ashley has a congenital heart defect which constantly threatens her life.

Only a few months ago the Legislature of Nova Scotia, with all-party agreement, passed a bill requiring hospitals to designate someone to ask the families of deceased patients for permission to obtain body tissue or organs for transplant purposes. The requirement is waived if there is no need for tissue, if the tissue is unsuitable or if the emotional condition of the consentor makes the request inappropriate.

My private member's bill, Bill 153, replicates the Nova Scotia law in Ontario. Here is an opportunity for this government to look very good by bringing it forward for second and third reading and proclamation. True, Premier Davis and Premier Peterson rarely did that kind of thing, but here is a humanitarian, not a partisan, bill. Times as well as expectations have changed, as has, I hope, the attitude of the government about private members' initiatives.

The Minister of Health and the two opposition critics have expressed their support for the principle of this bill. I implore the Premier and the Minister of Health to save the lives of these three children and help Bill 153 to become law now.

LABOUR LEGISLATION

Mr Turnbull: I stand today to express concern regarding the government's recent labour relations proposals and the impact these amendments will have on businesses in my riding. One company is Taylor Soaps-Perfumes Ltd, a maker of fine soaps since 1865. This company exemplifies the spirit of Canada's entrepreneurs: a small family company, started by the grandfather, using Canadian workers to produce an excellent product.

Mr Taylor has written to me, "Our message must get through to the government to kill this labour legislation, legislation which will certainly discourage new investment in our province by other countries, which means loss of potential jobs for the people of Ontario."

Last week the Treasurer attributed the \$2.1-billion decline in personal income tax revenues as the price we are paying for the recession with its plant closings, job losses and overall weak economic performance. Does the Minister of Labour not realize that these proposals will make it more difficult to operate a business in Ontario and that the

inevitable result will be plant closings, job losses and overall weak economic performance?

This constituent and too many others are having difficulties in these tough economic times. I ask the government not to make it even harder for companies to do business in Ontario by passing these labour relations proposals. We must create jobs, not soup lines.

SUNRISE FINE BONE CHINA

Ms M. Ward: I hold in my hand a beautiful fine bone china plate decorated with Ontario's floral emblem, the trillium. This collector's item and other fine china pieces are made by Sunrise Fine Bone China, which is located in my riding of Don Mills and employs developmentally handicapped persons.

Sunrise Fine Bone China was established as an integrated workshop for developmentally handicapped individuals in 1983 by the Metropolitan Toronto Association for Community Living. Since 1986, Sunrise has been receiving financial assistance from the Ministry of Community and Social Services.

This year Sunrise was in danger of closing because it had not become self-supporting. Over the summer I received calls and letters from many of the families and friends of the employees. I am happy to announce that with refinancing assistance from the Ontario Development Corp, Sunrise has been purchased by two employees of the company and will continue to employ the developmentally handicapped persons.

Efforts should be made to expand sales of this product within Ontario's tourism industry. Visitors to Canada should be able to buy china with the trillium emblem which is actually made in Canada.

There will be an official reopening of Sunrise Fine Bone China on December 2 at 34 Carnforth Road in Don Mills. The factory will be open to the public from 3 pm to 8 pm.

Members are aware that our legislative gift shop sells a number of fine bone china items from Sunrise. I suggest to members that these would make lovely Christmas gifts.

VEHICLE AND PEDESTRIAN SAFETY

Mr Chiarelli: Later today I will be introducing a bill which would prohibit persons from walking or running on highways or railway tracks or driving vehicles on highways while wearing earphones. Entitled the Vehicle and Pedestrian Safety Act, this bill is designed to address and reduce the occurrence of tragic deaths caused by pedestrians and drivers alike, where accidents have been caused by wearing earphones or headsets.

Recent tragic deaths in Ottawa-Carleton and elsewhere in Ontario provide plenty of evidence that the time has come to tighten up current legislation. The record clearly shows that headsets and traffic do not mix. Those found guilty of violating the Motor Vehicle and Pedestrian Safety Act would be liable to a fine of not less than \$60 and not

more than \$500. The prohibition would not apply to those wearing hearing aids.

This senseless carnage must be reduced. The time has come to pass a new law in the interest of public safety. I urge the government to deal with this bill at the earliest possible opportunity. At the very least, the Minister of Transportation should ensure this bill is referred to a legislative committee for public hearings as soon as possible.

1340

TRANSIT SERVICES

Mr Tilson: The town of Orangeville in my riding has been requesting GO Transit service for many years. After extensive review, the Ministry of Transportation announced that the Orangeville-Caledon run would not get GO service, even though the review demonstrated a marginally sufficient demand to justify it. The minister said that Orangeville does not require GO because there are two private sector lines already servicing the commuter needs of the community.

I would like to update the minister today on the state of these two private lines. Gray Coach has recently announced that the commuter service offered to Orangeville and Caledon residents has been cancelled. Just last Friday, the second private carrier, Denny's Bus Lines, announced that it would be cancelling its route from Orangeville to Yorkdale.

In a letter to a constituent of mine last spring, the previous minister categorically stated that in the event that the private bus services proved unsatisfactory, the ministry would be prepared to re-examine the potential of GO bus service. It is obvious the private lines are proving to be unsatisfactory. The commuter transit service is dwindling away and it is obvious that GO service is the only choice for the area. A service that includes integrated fares and an integrated time schedule that can be relied on is what is needed.

As a result of these latest developments, I would like to know if the minister is finally prepared to grant GO service to my riding. If he will not agree to this, will he at least agree to make the re-examination of this situation a top priority?

CITY OF BARRIE

Mr Wessinger: On October 23, 1991, my office, in co-operation with the city of Barrie and with the assistance of the parliamentary assistants to the Minister of Industry, Trade and Technology, the Minister of Labour and the Minister of Skills Development, held a public forum with the people of Barrie to discuss the economic future of Barrie. It was our intention to get input from organizations, groups and individuals in Barrie so that we could respond to their suggestions with a subsequent course of action.

In this regard, I held a meeting with Mayor Janice Laking of Barrie to establish an economic task force. Our plan is for a jointly sponsored effort which would focus on the establishment of strategies our community might take in planning its economic future. It is our intention to pull together dynamic and thoughtful people in the community to assist with the task force mandate.

We intend to address every facet of life in Barrie, from industrial and commercial renewal to detailed inventories of such factors as recreation, transportation, social services and the environment. We believe this will allow the task force to deal with the greater question of the economy of the city in a totally integrated fashion, using information and suggestions from interest groups and community representatives for a comprehensive study.

I believe this exercise is imperative, not only to address the problems facing the economy of the city of Barrie but also to promote the co-operative and consultative process.

I wish to thank the House for this opportunity to outline our plans for Barrie. I trust that other communities throughout the province may be able to utilize our task force blueprint and apply it to successful ends. Open dialogue and co-operative action of this type between the province and the people of Barrie will help forge the economic strategies for a sustainable future.

CREDIT COUNSELLING

Mr Grandmaitre: The government that prides itself on open and full consultation has managed to once again manipulate its message. This time it is the Minister of Community and Social Services who has managed to tell the media that funding for credit counselling agencies is being withdrawn but has neglected to advise the agencies themselves.

Credit counselling is provided by non-profit agencies to seriously indebted persons. Counselling enables them to resolve their financial problems and develop the ability to manage their own financial affairs. These agencies receive 60% of their funding from the provincial government and now, in the midst of a recession when demand is highest and people are under severe financial pressure, the government has decided to pull the plug.

Credit counselling is a lifeline, a way for people who find their financial pressures overwhelming to gain some control over their lives. Credit counselling is the third party between the individual and his or her creditors that can develop a structured payment plan which can satisfy both parties.

Yet once again, in a panicked attempt to restore economic sanity to Ontario, the Treasurer has forced a small but critical program to be cut and left frustrated credit counselling agencies waiting for a formal announcement and vulnerable clients wondering what will happen next.

SKILLS DEVELOPMENT

Mrs Cunningham: My statement today is for the Minister of Skills Development. Canada is at an economic crossroads today and the core of its economic prosperity is at risk. To achieve sustained productivity growth, our economy must continually upgrade itself.

"An upgrading economy is one that pursues greater productivity in existing industries by improving products, utilizing more efficient production processes and migrating into more sophisticated and higher-value industry segments." That is a quote from the Monitor study on Canadian competitiveness.

The capacity of an economy to upgrade its competitive potential depends on—it has worked for us—its post-secondary educational institutions, business, industry and government. It requires a combined effort.

According to Professor David Conklin, director of the University of Western Ontario's office of the Institute for Research on Public Policy, there must be a push for greater retraining along with the encouragement of innovation and an emphasis on technology if Canada is to continue to compete in the global economy.

Corporations will be delivering much more education than they ever have in the past, and the labour movement will have a major role to play as well. We would like to add that with the additional leadership of labour in retraining, Canada could solve its competition problems. We encourage the movement to be more active than it ever has been before.

ONTARIO ECONOMY

Ms Harrington: The time of Christmas shopping is upon us. This is the time of year when retail businesses sink or swim. It is a season that gives hundreds of businesses the cash flow to see them through the months ahead. Let's think about the consequences of the decision we make about where to spend our Christmas present budget, here or "across the river," as they say.

How many more stores will be closed in January? More closed stores mean more unemployment. Each job loss is a personal tragedy. Just last Friday I spoke to a neighbour of mine, a man of 35 who visited me with his five-month-old baby. He has lost his job, his wife has left him and now he is going to lose his house.

Tragedy strikes close to home for all of us. In these tough times communities must pull together. The province is investing in my city and it is investing across the province. Increases this year in health care funding, in education funding, in non-profit housing, in roads and sewer works in the city of Niagara Falls, these all mean good jobs for health care workers, for teachers, for contractors and for many more.

But will this money support our local economy or will it flow out the back door across the river? The decision is up to each individual. There are many good things in our community: yesterday's Santa Claus parade, all locally sponsored; the beautiful celebration of the Festival of Lights which opened Saturday, supported by our local businesses. So let's invest in Ontario.

LEGISLATIVE PAGES

The Speaker: I invite all members to join me in welcoming the seventh group of pages to serve in the First Session of the 35th Parliament:

William Ashbee, Fort William; Noelle Bailey, Lambton; Lisa Bernas, Parry Sound; Kathryn Bevington, Muskoka-Georgian Bay; Erica Brownridge, Huron; Jamie Bruce, Durham West; Tamara Church, Nepean; Andrew Cusack, Sudbury; Matthew Daviau, Windsor-Walkerville; Alia den Baars, High Park-Swansea; Owen Ferguson, Grey; Michael Fonesca, Downsview; Heather Frederick, Halton Centre; Sean Hurlbut, Oxford; George Kouniakakis, London North; Leah LaValley, Renfrew North; Peter

MacLeod, Cambridge; Anne Martin-Soucie, Cochrane South; Lindsay Mathysen, Middlesex; Hanna Rose Merkley, Frontenac-Addington; Melanie Poirier, Quinte; Matthew Schurter, Perth; Conor Sheridan, Mississauga North; and Mark Venditti, Etobicoke-Humber.

Please welcome our latest group of pages.

ESTIMATES

The Speaker: Standing order 60(a) provides that: "The standing committee on estimates shall present one report with respect to all of the estimates and supplementary estimates considered pursuant to standing orders 57 and 59 no later than the third Thursday in November of each calendar year."

The House not having received a report from the standing committee on estimates on Thursday, November 21, 1991, as required by the standing orders of this House, pursuant to standing order 60(b) the estimates before the committee are deemed to be passed by the committee and are deemed to be reported to and received by the House.

1350

Hon Mr Rae: Before I begin my remarks, this is the first opportunity I have had to congratulate the member for St Catharines on his elevation to the leadership of the Liberal Party and as Leader of the Opposition. I have always considered the member for St Catharines to be an outstanding member of this place as well as a friend. I am sure I will still feel that way at the end of his term as Leader of the Opposition.

STATEMENTS BY THE MINISTRY

PREMIER'S VISIT TO EUROPE

VISITE DU PREMIER MINISTRE EN EUROPE

Hon Mr Rae: I want to take this opportunity to report to the House on my recent trip to the United Kingdom, France and Germany. I hope the member for Scarborough-Agincourt is listening.

First, let me share some general impressions of the enormous changes taking place. This is a fascinating time in European and world history. We are days away from Maastricht, the European Community summit that will be discussing further measures of political and economic integration in the common market. This takes place in the shadow of the challenge of a recently united Germany, the re-emergence of independent Eastern European nations and the disintegration of the Soviet Union.

The economies of Western Europe have experienced either recession or slowdown, with the consequences we know well: higher unemployment and higher budgetary deficits. The uncertainty about further change in Europe is definitely having an impact, and the debate in each of the countries about the future shape of Europe was intense. There was, of course, a shared concern about the slowdown in North America and now Japan, and a strong view about the need for continued attention to the depth of the crisis in Eastern Europe and the Soviet Union.

My interest in this trip was obviously to learn first hand of the views of these changes, to encourage a continuing European interest in Ontario and Canada and to encourage

more investment and trade generally between us. My message is simple: Ontario is a good place to live, to invest and to do business. We have a solid reputation abroad, strengthened by our openness to peoples and investment from around the world. Our status as an international society, peopled by immigrants from around the world, is an enormous asset.

I stressed Ontario's interest in a successful conclusion of the Uruguay round. We shall benefit as a province from clearer trade rules and better guarantees from foreign protectionism. As a province heavily dependent on foreign trade, we shall pay heavily if there is no agreement reached soon.

There was, of course, much interest in the constitutional debate taking place in Canada. I stressed that federalism makes sense for Canada, precisely because it allows for regional and provincial concerns to be expressed within the federation. I also emphasized that the goals of better markets within the country, institutional reform and a more productive working relationship among all the members of the Canadian federation are of real importance to Ontario.

J'ai fait part de l'engagement de l'Ontario à assurer qu'il ne se produirait pas de «Forteresse Amérique du Nord», néfaste au commerce et aux investissements européens. Pour ma part, j'ai demandé l'assurance que l'Europe ne deviendrait pas «fermée sur elle-même», alors que les pays étaient aux prises avec l'effondrement de l'Empire soviétique et l'élaboration d'une politique européenne d'intégration politique.

Toutes les personnes que j'ai rencontrées ont été promptes à nier qu'une Europe «fermée sur elle-même» serait envisagée, ou même souhaitée, en dépit du fait que les ressources financières et autres consacrées à l'Europe de l'Est et aux pays de l'ancienne Union soviétique représentaient un coût énorme. Rien n'est plus compréhensible. L'Europe a vécu pendant plus de 40 ans auprès d'un empire totalitaire, doté d'armes nucléaires. La fin de ce régime est venue avec un effet dramatique.

We all shared the joy of the collapse of the Berlin Wall and the unprecedented changes in the formerly Soviet republics. With thousands seeking political asylum now in the West, continued loss of life in Croatia, the prospect of real food shortages in many countries this winter, we must pay attention. Canada and Ontario must do their part in assisting these societies to emerge as fair, productive and democratic economies.

I draw two early conclusions. The first is that our presence in all of Europe, including Eastern Europe, needs to be strengthened. The second is that this government's determination to work through the recession with a balanced approach is the right one. Meeting financial targets, controlling spending, recognizing the depth of the economic changes that are occurring at home and around the world, are critical features of any sensible policy. All governments are facing these challenges. We have to meet them as well.

Let me turn to some specifics of my trip. When I do so, I am conscious of the work of former governments, and former premiers, in laying the groundwork for Ontario's

relations with the governments and economies of Europe. Members will know that the governments of four regions, Rhône-Alpes in France, Baden-Württemberg in Germany, Lombardy in Italy and Catalonia in Spain, are joined together in a group known as the Four Motors. These are four industrialized regions in key economies in Europe, and our relationship with them represents a unique opportunity to strengthen our cultural, scientific and educational links to Europe.

In Lyon and Stuttgart, I signed declarations affirming our partnerships with President Millon of Rhône-Alpes and Minister-President Teufel of Baden-Württemberg. We have committed to a program called Telepresence, a joint project that will draw on the scientific and technical skills of our public and private institutions here in Ontario working with their counterparts in Europe.

Telepresence is just one example of the projects underway as a result of our relationship with the Four Motors, and both President Millon and Minister-President Teufel indicated to me their strong desire to expand and deepen our relationships. This is good news for Ontario.

Baden-Württemberg is also twinned to the new state of Saxony in the eastern part of Germany. The Minister-President and I agreed that Ontario should use its existing good relations to reach out to a region with its major cities of Dresden and Leipzig.

These relationships are helpful in opening doors to industrial Europe. There are major opportunities for our businesses in Europe, but many of those I met in government and business expressed frustration that our companies are not assertive enough. I encourage them to explore the opportunities in Europe and take advantage of the excellent representation of the Ontario and Canadian governments in key European markets.

I was able to meet representatives of the financial and industrial communities who are important to Ontario at a number of private and public meetings. I spoke to the Canada-UK Chamber of Commerce, the Canada-France Chamber of Commerce, the German Association of Industry, and participated in the signing of a partnership agreement between the Canadian high-tech firm of Newbridge and the German company Siemens.

I want to thank Ambassador Charland and Ambassador Delworth, High Commissioner Eaton, Agent General Nixon, Agent General Doucet, Senior Representative Idler and their staffs and, of course, senior ministry staff here in Toronto for their able assistance.

Je voudrais, en terminant, faire part à l'Assemblée de ma visite à Brouage, lieu de naissance de Samuel de Champlain. Ma femme et moi avons assisté à la bénédiction officielle d'un vitrail dans l'église du village commémorant l'amitié durable entre l'Ontario et la France. Le vitrail a été commandité par la Fondation du patrimoine ontarien en collaboration avec la Fondation MacDonald Stewart. Brouage est une petite ville de la côte ouest française. La cérémonie dans cette humble petite église a rendu un hommage à Champlain et à des centaines de milliers de personnes d'origine française qui vivent et travaillent en Ontario aujourd'hui et contribuent à la prospérité de cette province.

RESPONSES

PREMIER'S VISIT TO EUROPE

Mr Bradley: While the Premier was on his jaunt to Europe playing international statesman, the economy of Ontario has been collapsing all around us. Even George Bush, when he saw what the domestic agenda was, the problems that were being confronted on the home front, knew enough to cancel his trip at that time and concentrate his time and effort on the domestic issues.

If the Premier wanted to visit some appropriate places, he might have visited Windsor or Renfrew or St Catharines or Sault Ste Marie or Alexandria or Barrie or almost any of the communities in Ontario which happen to be losing jobs, which happen to be facing the closing of plants, which happen to be facing unemployment and the human toll that brings about.

As the Premier was leaving Ontario the unemployment figures were being announced and, once again, those unemployment figures were rising. Businesses in every part of the province were complaining of difficulty in even existing for another few months, let alone contemplating any new investment in this province. New taxes were being threatened by the Treasurer and by others who contemplated the need for new taxes as this government's revenues were predictably—predictably as far as most people in Ontario were concerned—underestimated.

We have a situation where municipalities and local boards are being dumped upon as the downloading on to those municipalities is being threatened for the next fiscal year. We have food banks which are under even greater pressure than they were when the Premier left this province. We have credit counselling services, which are absolutely essential in communities across Ontario and are strongly supported by labour councils and individual unions across Ontario and have had to have their employees, their members, use those services, being abandoned by the Minister of Community and Social Services.

The Minister of Health is forcing bed closings right across Ontario with her policies, even though it was anticipated that we would see more beds and more health services under an NDP government. Hospital deficits are soaring from one end of the province to the other as the anticipated costs are rising, costs which everyone knew were going to have to rise because of the aging of the population. Those hospitals are not getting sufficient money from the province.

Nurses are being fired, as are other members of hospital staffs and others in the health care field, even though the Premier, large as life, showed up at the Ontario Nurses' Association meeting and encouraged them to have a big increase in pay. I think people in Ontario supported that particular urging by the Premier. Then we turn around and have the provincial government pull the financial rug out from under the hospitals so that those nurses have to be fired, even though a few of them may be making more money as a result.

Health care services are being cut. Daily we see memos slipping out that indicate that the province is not

going to cover as many of the procedures and practices as it did in the past. User fees are being threatened on senior citizens and other disadvantaged people in this province. Organ transplant programs are being threatened. They are certainly, at the very least, under a cloud.

I even noted that the refillable ratio for soft drink containers has gone down to about 7%. One would not have anticipated that in NDP Ontario.

The Minister of Energy is fending off suggestions that hydro rates are too high, as they rise 11%, 12%, 13%, 14% and higher in some of the communities across Ontario.

I do not say there is not a time for the Premier to go to Europe. There is, from time to time, and that is when the House is not sitting. We need to have an opportunity on a daily basis to question the Premier. In fact I distinctly heard, with about 35 seconds left in question period, the wheels of the Premier's jet touching down at Pearson International Airport. A week prior to that he had been seen with the royal couple, with all those wonderful photo opportunities that go with it, and then off to Europe as an international statesman. Meanwhile, Ontario is in dire straits.

We are pleased to see the Premier back. We hope he devotes his time now to the domestic issues that are confronting this province.

Mr Carr: I too would like to welcome the Premier back to Ontario after his trip. I understand he had a chance to reminisce and visit Cambridge, where he went to school.

I used to be a sales manager. The first thing you do when you have a salesperson come back is look for results. As I sit and look at this statement, I say it is a good job that this Premier was not on commission, because quite frankly he would starve with the results coming back from this particular trip. The first thing you do is look for concrete results in terms of the amount of money that is going to be invested here or the jobs that are going to be created. There is none of that in here; no results and a lot of rhetoric.

The same thing happened in the standing committee on estimates when we talked to the Ministry of Industry, Trade and Technology. They told us about all the wonderful things they do, all the offices they open, all the people they talk to, but they never get specific in being able to say: "Here's an agreement we signed. Here's some investment in this province. Here are some jobs in this province."

One of the problems is that this Premier, because of his actions, has a very difficult product to sell. Recent studies show that we are in a 20% to 50% higher tax bracket in Ontario versus the United States. We are uncompetitive. While the Premier was travelling around Europe, I was meeting with an industry in Cambridge that invested billions of dollars in this province.

They said: "We used to get calls from around the world saying, 'We are coming to invest in Ontario. What do you think?' Right now the phones are silent. We are not getting any calls. If we are honest, when we do get the calls we're saying, 'Don't come here,' because of this government and its labour relations amendments."

A recent study said that because of this government's labour relations amendments 500,000 jobs and \$20 billion

of investment are at risk, and the Premier comes back with nothing. There is going to be a net loss under his premiership, and as a salesman he has been a failure. As we look at it and discuss it with businesses in this province, they know what needs to be done. We need to be more competitive, because if we are not competitive, we are going to lose markets. When we lose markets, people lose jobs.

There is nothing in this statement to make us more competitive. There is nothing in this statement to say specifically what the Premier is going to do to turn this mess around. As we sit here today, I say this Premier is a failure as a salesperson. He had better get back to doing what he should do best, which is being Premier and doing the things that need to be done, so a year from now, when he goes to the rest of world, he will have a better product to sell.

Mrs Cunningham: I thought it was interesting today in the Premier's statement—I think it is something all of us should be aware of—that the people in Europe are telling us our companies are not assertive enough. For those of us who make it our business to find out what is going on around the world, it is not news. This is exactly what we have been told.

Most of us would agree we have been somewhat studied to death and that the facts for Ontario and Canada with regard to the worrisome performance trends are not numbers and figures we want to really believe. The most serious weakness in this country is our low productivity growth. To solve that problem we are going to need the help not only of this government but of industry, business, labour and our colleges and universities. Since the early 1970s Canada has ranked near the bottom of all major industrial countries in productivity growth.

I think also the Premier knows that his next challenge with regard to Canada's record is that of unit labour costs. Unit labour costs between 1979 and 1989 in the manufacturing sector in Canada rose more quickly than those in most other industrialized countries and increased more than twice as fast as the costs in the United States.

We are giving the Premier these numbers because we know he is going to need them in the upcoming negotiations. All of us live on a day-to-day basis with the realities of unemployment in our province. We also know that the lagging investments on behalf of the government and the private sector in upgrading skills and technology are something this government is going to have to work hard not only to show leadership in but to encourage in the private sector.

With regard to the macroeconomic environment, I can only quote from a report that I know the Premier has looked at. It has to do with government deficits and rapidly growing public debts. I will close by saying that the combined federal and provincial government debt has been growing more quickly than the economy for a decade and now exceeds 70% of the gross domestic product. Among the G-7 countries, only Italy has a higher government debt than we do.

1410

MEMBER'S MAILING

Mr Sorbara: On a point of privilege, Mr Speaker: If I can have a page, I will send you a copy of a document out of which the point of privilege arises.

This matter arises out of a letter distributed by the member for Yorkview during the course of the last municipal election campaign, specifically a letter distributed in conjunction with the election of separate school trustees in ward 3 of the Metropolitan Toronto area.

I submit to you, Mr Speaker, that this letter is not only libellous but maligns a candidate for that election who is currently a member of our caucus and at the relevant time was a member of my constituency staff. I raise it with you because the letter is under the signature of the member for Yorkview.

I will not quote the whole letter, but in it he says among other things—if the page could just deliver that to the Speaker, that to the Premier and that to the member for Yorkview, we can get on with this matter.

Mr Mahoney: The member for Yorkview is not here.

Mr Sorbara: I think the member for Yorkview is hiding somewhere behind the curtain.

This letter says, among other things, "Bill 162 Sorbara's legislation, which favours the desires of employers over the needs of workers, is a prime example of their disregard for working people in our community." Then he goes on to say, "Tony Genco"—who was the candidate in question—"was part of that Liberal government and ministry." I want to submit to you, Mr Speaker, that Mr Genco was neither part of the Liberal government nor part of the ministry, although he did do good work for me in my constituency affairs.

The letter goes on to say—

Interjections.

Mr Sorbara: I just say to my friends on the other side, if they feel this is the kind of politics they subscribe to, I will be willing to hear that.

The Speaker: Would the member address the point of privilege, please.

Mr Sorbara: The letter continues: "You may choose a Liberal, Tony Genco, who worked with the government for Bill 162 and all the harm it has done to families of working people. Or you can vote, as I urge you to do, for Mary Cicogna...."

I submit that for an MPP to print material which is wrong, which misleads and misstates facts and insults and misrepresents an employee of this Legislature, an employee of one of our caucuses, goes far below the standard of politics we have become accustomed to in this province. It should be an embarrassment to the member for Yorkview, should embarrass the Premier because this man is one of his caucus, violates my privileges as a member of this House and as a former minister of the crown and is an insult to all of us who believe in high standards of politics.

The Speaker: To the member for York Centre, I appreciate your bringing this to my attention. I will indeed consider it and report back to you later.

ORAL QUESTIONS

GOVERNMENT SPENDING

Mr Bradley: My question is for the Premier. I welcome him back to Ontario and the Legislative Assembly of Ontario.

The Premier has spoken many times in this House about open, honest and co-operative government. In light of these particular comments—and I recognize the Premier has been away but I know his office controls all—can the Premier today explain to us exactly what the consultation central co-ordinating committee is? What is its mandate and what people has he chosen to sit on this committee?

Hon Mr Rae: I would have to see what document the leader is referring to, or exactly what it is he is talking about. As the Leader of the Opposition will know, there is a substantial interest in the government in consulting with the general public and in consulting with people from around the province, so I look forward to seeing what it is the member is referring to. It would not be unusual for there to be a committee that would be involved in discussing and co-ordinating various consultation processes that are going on.

Mr Bradley: I would like to inform the House that I have in my possession a confidential memo to cabinet—another one—from the chief government whip, the member for Niagara South, dated November 19, 1991. Before I begin my supplementary, I ask the Premier if he will personally assure this House that he will not order a police interrogation of me or any member as a result of the release of this confidential matter.

It would be of interest to the Premier to know that in this confidential document the member outlines the mandate, membership and goals of his new consultation central co-ordinating committee. It would also interest the Premier that the member's understanding of this committee is somewhat different, perhaps, from his own. According to the memo, the committee, which has met twice, is made up primarily of NDP political staff, including David Reville and John Piper from the Premier's office. Perhaps most damning is the prominent place reserved on the committee for provincial NDP secretary Jill Marzetti. The memo says that the purpose of the CCC committee is "to maximize the government's profile and to establish new support bases across Ontario." The memo goes on to state that all co-ordination of this committee will be vetted through MPPs, their constituency staff, activists and NDP caucus services.

The Speaker: And the supplementary?

Mr Bradley: This despite the fact that participating ministries must agree to resource the project.

I have a question. It says to ask Fraser Green in the Premier's office; I will ask the Premier. We as well as the Ontario public do have some questions. Can the Premier confirm that he is in agreement with the stated objectives of the member for Niagara South's memo? Does he agree that this is essentially a political exercise, and can he explain why in this time of fiscal duress the government is paying for this type of operation?

Hon Mr Rae: I can only tell the Leader of the Opposition that it is perfectly in order, I would have thought, for us as a government to try to communicate with the public about what we are trying to do. If I could, I say to the Leader of the Opposition that the Liberal caucus office uses public dollars to communicate with the public. His staff holds meetings with respect to communicating the views and policies of the official opposition; so does the Conservative Party. There is nothing unusual about that at all. It is perfectly in order in terms of the government communicating a message for us to try to co-ordinate it, and in fact to end up saving some money in terms of the overall communication budget of the government.

Mr Bradley: These are dollars that the Minister of Community and Social Services will not be able to give to credit counselling services in Ontario.

The Premier seems to suggest that he has little idea of the mandate or the costs of this new committee even though his office staff make up over a quarter of its membership. According to this memo, the CCC committee will be involved in a broad ad campaign, a series of focus groups, regional orientation workshops and caucus participation plans. We on this side have also acquired mock-ups of the full-page ads that the NDP is planning to run in support of this political exercise.

Advertisement 3—that is the one in front of me—states, "You're paying for this ad." Could the Premier tell the people of Ontario exactly how much they are paying, not only for the production of this full-page ad and its placement in all Ontario newspapers but the total costs for this extravagant, embarrassingly partisan exercise?

Hon Mr Rae: I stand to be corrected by my colleagues, but so far as I am aware no decision has been made with respect to any particular ad campaign. I can tell the Leader of the Opposition that as far as I am concerned, trying to communicate with the public about what we are trying to do is part of what governments have to do in this day and age. It is simple reality.

PREMIER'S VISIT TO EUROPE

Mr Bradley: The Premier, as we know, went to Europe with a couple of basic goals, at least so those of us in the opposition thought. This morning the Premier told reporters that the purpose of his trip was to get to know people. He was going to plead the case of de Havilland and the Ontario jobs at risk because of the Europeans' failure to okay that deal. He wanted to drum up new orders for Ontario companies and new investment for the province. Instead, the Premier spent his time test-driving buses, riding high-speed trains and hobnobbing at his old working man's haunt, Oxford University. Meanwhile, back at home, the circumstances I described about unemployment and the economy are prevailing. That is not good enough.

Can the Premier tell the House what, aside from some excellent cuisine and new business cards, he and the province of Ontario received for his globe-trotting efforts?

1420

Hon Mr Rae: I must say to the honourable Leader of the Opposition I am surprised that somebody of his experience

would take such a neo-isolationist view of the world as to think that foreign travel on behalf of the government of the province is somehow something wrong or indeed evil. I think it is an important part of the work of any Premier to represent the province in its trading and business activities in Europe, in the United States, in Japan and indeed in other markets. That is part of what is involved. It is something that must be done.

I would encourage other members to take an interest in what is going on in other markets and to encourage foreign investment in Ontario. That is exactly what we are doing. If the Liberal Party or the Conservative Party chooses to take the view that any contact or any trips overseas are wrong or are somehow simply junkets, I can only say that is a view that is certainly not shared by anybody I have talked to in the business community. It is not a view shared by his colleague the former Leader of the Opposition, who was asking me questions six months ago, who is now our agent general in London and who is only too strongly of the opinion that it is exactly this kind of work that needs to be done in foreign markets, in foreign capital markets and industrial markets around the world. It is work that has to be done on behalf of the people of Ontario.

Mr Bradley: I have been in this House long enough to remember when the then Leader of the Opposition was opposed to foreign investment in this province or this country.

The Premier said he might knock on some European doors to see if he could do something about the decision not to allow the sale of de Havilland, a ruling which could close Metro Toronto's largest employer. But according to the government's own ministerial briefing notes from this trip, de Havilland was so far down the Premier's list of things to do while in Europe that it did not even rate a mention. Evidently he thought showing a tourism film was a priority over de Havilland. While the Premier was meeting with people like Glenda Jackson, the workers at de Havilland were on tenterhooks waiting to see what this government is doing to save their jobs.

What did the Premier accomplish over in Europe? How many jobs did he save? How much investment did he get? What was the purpose of this schmoozing trip?

Hon Mr Rae: I can only tell the Leader of the Opposition, specifically with respect to de Havilland, that I met with the chairman of Aérospatiale, Mr Henri Martre, in Paris. I also had a two-hour conversation with Mr Beaudoin, who is the president of Bombardier Inc, who also happened to be in Paris at approximately the same time. I also had the opportunity to have a very brief conversation with the Prime Minister, who was also in Paris at that time and who had already talked to Mr Delors, the chairman of the European Commission.

I would say to the Leader of the Opposition that it just will not do for him to say that somehow there is something wrong or untoward about a Premier talking to foreign industrialists, talking to foreign investors. I can tell the Leader of the Opposition that I continue to be optimistic that we can find a solution to the situation at de Havilland. I hope very much that it will become clear to him that in

fact the trip did play a role in helping to find a solution to this problem.

Mr Bradley: He brought back no job guarantees, apparently, but he brought back the terminology "neo-isolationist" from Oxford.

Last week we learned that a major credit rating agency might reduce its rating for Ontario because of this government's economic mismanagement. If that happens it would be the second time since this government took office that Ontario has seen this particular rating fall. As a result, taxpayers in the province will be forced to fork over even more money in interest payments.

Unemployment in the province is approaching 10%. The Treasurer has been forced to revise his budget twice, cutting and putting off spending in order to reach his budget targets. Now outside analysts are saying the government will be forced to boost personal income and sales tax in order to keep the Treasurer's four-year fiscal fantasy.

My question is, can the Premier tell Ontario why he is spending this time running to foreign lands while the provincial economy keeps slipping? He certainly did a lot for the French and German economies with his spending. What is he going to do to revive Ontario's faltering economy?

Hon Mr Rae: I must say I am not surprised by the thrust of the questions from the Leader of the Opposition. In fact, I predicted them this morning when I was contemplating what it is that this new Leader of the Opposition would be all about.

I can only say to the Leader of the Opposition, as I think, apart from all the insults, the core of the question had to do with respect to our targets, I would suspect that of governments in Canada this year, only Ontario in fact is going to meet its fiscal targets. We are determined to do so and the Treasurer has my full support in our determination to get there. I would suspect that very few other governments in Canada are going to reach those same targets.

SEXUAL ABUSE OF PATIENTS

Mr J. Wilson: My question is to the Minister of Health. Members of the Legislature and the minister will be aware that the Task Force On Sexual Abuse of Patients, which was commissioned by the College of Physicians and Surgeons of Ontario, released its final report this morning. The task force, which heard some 303 detailed reports of sexual abuse by physicians and others in a position of trust, has produced as a result of the hearings some 60 recommendations.

I want to ask the minister if she will give her personal assurance today to members of this House, to members of the public and especially to those survivors of sexual abuse, that she will move quickly to implement the recommendations contained in this report that require legislative change, that she will move quickly and that we can have some assurance that this report will not collect dust on the shelves, as so many other reports that have been presented to this government have met that fate.

Hon Ms Lankin: With the exception of the last little shot the member put in, I appreciate his comments and question and his ongoing interest in this issue. I will certainly give him and the rest of the members in this Legislative

Assembly my assurance that I will move very quickly on the recommendations, and where further legislative amendment is required, we will move on that.

The member will know in fact that we have implemented some of the recommendations we found in the interim report, but there are others in which we need to bring the College of Physicians and Surgeons and the Ontario Medical Association together to look at their implementation and the monitoring system. I guarantee him that we will move quickly to do that.

Mr J. Wilson: I would suggest that the minister has already missed an opportunity to enact many of these legislative changes. She will recall that over one month ago, during the clause-by-clause proceedings of the Regulated Health Professions Act in the standing committee on social development I, on behalf of my colleagues, introduced several amendments designed to help victims of sexual abuse. The government, in conjunction with the Liberals, voted as a bloc against those amendments. One of those amendments dealt with the survivors' compensation fund. This morning, with the release of the task force's final report, we see that the task force is again asking for the implementation of a survivors' compensation fund.

Given that in the past, just one month ago, the members of the NDP and the Liberals voted against such a fund, could we have the minister's commitment today that she will review the government's position and implement such a fund in a timely manner?

Hon Ms Lankin: I just correct the member to say that the official opposition and the government members did not vote against the concept of a fund. In fact, what they said was that they wanted to see the final recommendations from the task force. As the member will know, the recommendations of the task force have changed, not in that they do not continue to call for the establishment of such a fund—they do—but in their recommendation about how such a fund should be financed, and I think it is a helpful suggestion.

The committee felt there were certain elements of the recommendations, that we wanted to see the final report from the task force and, because we are dealing with a self-regulated profession, we wanted to have a chance to see a response from the profession itself. I appreciate the amendments that the member prepared and submitted to the committee. I am sure that all members of the committee found merit in them. We will review those along with the final recommendations. I assure the member we will move quickly.

Mr J. Wilson: If the minister is really serious about zero tolerance and the recommendations contained in the task force's final report presented this morning, she will move quickly. She has an opportunity today to move quickly in an area of compensation for survivors of sexual abuse. She failed to do that a month ago on committee. The Regulated Health Professions Act will be receiving royal assent this afternoon.

Would the minister consider putting those bills on hold, putting the issue back to committee so we can put in the proper legislative clauses to deal with and provide com-

pensation to victims of sexual abuse? The patient relations committee the minister set up does nothing to help victims. We are asking if she would consider holding up the bills for just a short while to give us an opportunity to implement proper clauses in that legislation to ensure that victims are provided with the compensation they so very badly need.

1430

Hon Ms Lankin: I appreciate the member's urging in this respect. I am not prepared to hold up royal assent of the bills this afternoon, but I am prepared to give him an undertaking that we will move very quickly to develop a package of required legislative changes and that we will bring that forward. I do not hesitate at all to reopen the legislation and to make these necessary changes.

The member has a commitment that our government wants to move on this, we want to do it in conjunction with the profession and we appreciate the work the member opposite has done with respect to amendments. We will take a look at that wording as we look at drafting our own legislative amendments.

GARBAGE DISPOSAL

Mr Cousens: My question is directed towards the Minister of the Environment. This past week I have had the opportunity of continuing dialogue with members of the business community, who clearly demonstrate desire and interest to support the initiatives of the government, the intent of moving forward on the 3Rs. Yet these same people address a great deal of anxiety over Bill 143 and the direction in which the minister wants to take the government. In fact to them she is becoming the environment's worst nightmare.

Everyone has a breaking point. With all the other forces coming against business in this province from other departments of the government and the uncertainty surrounding the environmental policies coming from the ministry, they do not know what the environmental bill of rights is going to bring and they are not certain as to how the waste audits are to be managed and done. There are a number of questions that come out of Bill 143 that are raising great concerns, all leading to an increased cost of doing business in Ontario.

Because businesses are forced to dispose of their waste now within the greater Toronto area—they cannot take cheaper options in sending it to Kirkland Lake—the tippage fees continue to increase. So the question really boils down to how business can remain competitive when faced with potential increases in its operating costs. It boils down to another question: What is there to prevent businesses from relocating either to Buffalo or Belleville?

Hon Mrs Grier: I think the premises on which the member has based his question are fundamentally incorrect. What businesses in the GTA requires for an atmosphere of certainty and in order to make the best business decisions is some certainty that there will in fact be somewhere to dispose of their waste when the existing landfill sites are closed, and that is precisely what Bill 143 is designed to do.

Mr Cousens: The fact of the matter is that we have a place, and the place to start dealing with the problem is here in this Legislature, where we have a sense of trying to work through the issue, where both sides and all sides have a chance to consult on it. Business is very concerned about the lack of consultation taking place between the Ministry of the Environment and itself with regard to the minister's new regulatory measures to achieve Ontario's waste reduction targets.

In her waste booklet, *Regulatory Measures to Achieve Ontario's Waste Reduction Targets*, which came out in October, the minister stated that the consultation period for that document will end on December 6, just next week. Less than two months have been given to companies and industries and interested people to respond to this very important document. Yet what happens now is that her ministry could go ahead and act on it without having listened to the views of those people.

Given the amount of thought required to answer the proposals raised in this, given the impact that it is going to have on industry as a whole, given the shortage of time the minister has given industry to respond to it and given the confusion within the business community over her proposals, would the minister consider extending the consultation period past December 6?

Hon Mrs Grier: There are a number of points I want to make. Let me make it perfectly clear, Mr Speaker, I agree with the member that there has to be and will be and has been the fullest possible consultation with respect to implementation of the regulations he refers to.

First, let me make the point that those regulations were developed in discussion with a lot of industries and in consultation with multistakeholder committees. Second, the period for consultation identified last October, when we released the paper, was obviously for formal feedback from many industries. The fact that this date may pass does not preclude industries from giving us their opinions or us from dealing with those opinions.

Bill 143 provides the legislative framework within which the regulations the member has referred to will be promulgated, so there obviously will be time after the passage of Bill 143, which I hope will be before we recess for the Christmas season, to consult about the actual regulations that will flow from it.

Mr Cousens: It is not very reassuring. Consultation is a two-way dialogue. When this government talks about consultation, it is as if it says: "Here is our view. Take it or leave it." There is so much happening within that document which requires more than just a speedy response. It requires a continuing discussion between this ministry and the people who have to implement it.

Rather than use a police force to make it happen, what we really need to do is have some kind of working together on it, which the ministry does not seem to be willing to do. Obviously the minister is not willing to extend the formal period for responses beyond December 6. The answer the minister has really given is, "No, I will not allow consultation to go beyond December 6," and that is

unfortunate, because she is going to just go ahead and implement it anyway.

My second supplementary has to do with Bill 143 and the fact that so many people's rights are going to be affected by it. Individual rights are impacted; municipal rights are impacted. When Bill 143 is passed, the Ontario Municipal Act disappears when it comes to environmental concerns. The Planning Act disappears.

The Speaker: And the supplementary?

Mr Cousens: There are several issues that come out of this, and if I can just put the question properly, I might get an answer.

The Speaker: A question, please.

Mr Cousens: My question is, the government House leader wants to see passage of Bill 143 before we rise from this House. In other words, there will not be a chance for a full and public dialogue by interested communities on the impact Bill 143 is going to have on them and on their rights and everything else related to it.

The Speaker: Will the member please place his question.

Mr Cousens: I will right now. Will the minister agree to have public consultation on Bill 143, to take place after the House rises on December 19 this year for Christmas?

Hon Mrs Grier: The member's characterizations of the consultation process around both the waste reduction regulations and Bill 143 are wildly inaccurate. With respect to Bill 143, I am disappointed that the member is not prepared to recognize that the measures he has talked about apply to the landfill sites in Peel and in Metro-York. When he says they abrogate the Municipal Act, he implies that is something that is happening province-wide, and I am disappointed he would do that.

Let me say to him with respect to public consultation and hearings on Bill 143 that I understand our House leader has made a proposal to the House leaders of the opposition parties about a way of enabling us to do just that and still meet the need of the people, the industries and the municipalities within the GTA for assurance that they will have waste disposal capacity as soon as possible. I hope the member's caucus and the member's House leader will respond positively to those suggestions.

GOVERNMENT SPENDING

Mr Bradley: I have another question for the Premier. If a page will come by, I will send him a copy of this secret memo we have that has been leaked to us and that I hope the OPP is not tracing down.

Hon Mr Cooke: It's obviously not secret.

Mr Bradley: It is no longer a secret, no.

The Premier says it is the government's prerogative to co-ordinate consultation in the province. I think most people, in fairness, would agree with that. But then we ask the question: Why does the committee membership contain only one civil servant and why does it contain Jill Marzetti, the NDP secretary, the same person who has previously declared war on the Ontario business lobby?

Given this blatant overrepresentation by political staffers, will the Premier not admit that this is a blatant political attempt at public manipulation and not at consultation at all?

Hon Mr Rae: No, Mr Speaker.

Mr Bradley: While the Premier was riding the trains in Europe and involved in a number of photo opportunities, the Treasurer of this province was struggling with the deficit and with the need to cut some of the costs the government has been incurring. As a result, one has to ask the Premier where the government is going to find the money for this particular committee, since it says the money must come from various ministries.

Will it come from the Ministry of Health, so that we can no longer cover health care services? Will it come from the Ministry of Community and Social Services, so people in need will not have as much money to meet their needs? Will it come from the Ministry of Transportation, where there are many needs in this province? Where is this money to come from to finance this government's political manipulation?

Hon Mr Rae: It is my understanding and certainly my determination, and I think it is shared by the Treasurer, that any money for any communication plans comes from within existing ministry budgets and is not new money.

1440

PRESCRIPTION DRUGS

Mr Jackson: I have a question to the Minister of Health. A constituent of mine, a senior citizen, Mrs Dorothy Kennedy, has such a severe infection of shingles that it has gone into her eyes. Her ophthalmologist has indicated that her condition is vision-threatening unless the prescribed treatment of a drug called Zovirax is made available to her.

Mrs Kennedy went to the pharmacist and found out that it is going to cost her \$285 for this 10-day program because as of November 1, the minister had removed it, as one of the interim benefits, from the Ontario drug benefit plan. Mrs Kennedy is a senior citizen and she is having a hard time making ends meet. But she is aware that if she wants to get this treatment, she can be admitted into a hospital to take the prescription for a 10-day period at a cost to taxpayers of anywhere between \$4,000 and \$6,000.

Why is the minister cutting support services to seniors like Mrs Dorothy Kennedy for such medically necessary medical treatments for her and others like her in this province?

Hon Ms Lankin: I hope the member opposite knows that in fact we have not cut access to it. What we have done has been to follow the recommendations in the Lowy report that the drugs that were listed on the interim benefits be submitted to the Drug Quality and Therapeutics Committee and the determination made whether they be added to the formulary or be accessed through the special authorization section of the legislation, section 8 requests.

In the case of this particular drug—and I hope I am correct; the member used a brand name. I think the actual drug we are talking about is Acyclovir. He nods yes—in that situation we have ensured, because it is so important

in dealing with the issue of seniors and shingles, that there is a 24-hour turnaround.

I was aware of a complaint from the member's office with respect to a constituent. Since the policy was put in place, there have been eight requests. They have been handled within a 24-hour turnaround, as was committed. We were unable to locate a request from the doctor the member has actually specified and we are attempting to contact that doctor to find out what happened in the circumstances.

Mr Jackson: The minister is correct. I did notify her office last Monday when this was brought to my attention and did finally have someone contact me today about the matter.

But more important, what we have discovered about this case is that in letters dated September 18 and October 10 from her ministry to physicians and pharmacists in this province, nowhere does the minister mention that a special authorization can be sought for the treatment of their patients so they can have access to the Ontario drug benefit plan.

In fact the minister's correspondences from her ministry are very specific that the reason she is informing the physicians and pharmacists is because these drugs will no longer—and she underlines this in her letter, which I have in front of me—be reimbursed by the ODB program. The minister goes on to suggest that inventories will have to be adjusted because the drug will no longer be available.

My point to the minister is that she has communicated to physicians in very clear and straight language that the drug will not be available. The minister has also indicated that there will be a 24-hour turnaround, yet it has to be in writing from the physician and physicians are unaware that they can apply for it.

The Speaker: Will the member place his supplementary, please.

Mr Jackson: My supplementary question to the minister is simply this: Why do physicians feel her ministry has misled them and why do patients feel her decision is cruel and harsh to them, that she did not inform physicians or pharmacists in this province that they can make application? My patient will be ineligible if she waits beyond 72 hours for this medical treatment—

The Speaker: Would the member conclude his question, please.

Mr Jackson: The Minister of Health says she will provide a 24-hour treatment, and she has not even told physicians it is available.

Hon Ms Lankin: The member asks why doctors feel this. In fact, I was not aware that doctors feel they can no longer apply for this. Doctors are well aware under the legislation that any drug not on the Drug Benefit Formulary can be applied for through special authorization. However, the member raises concern that there may be some members of the profession who are not aware of this. If I can do anything to clear that up by sending further communication, I will review the letter that was sent and I will undertake to do that, because I think it is important that people do understand what the program does and does not provide for.

NATURAL GAS

Mr G. Wilson: My question is for the Minister of Energy. As the minister knows, one of the goals of our government is the efficient use of energy resources. In pursuing this goal we need the co-operation of the citizens and their agencies throughout the province. Recently the Kingston Utilities Commission proposed a fuel-switching test that involved switching electric water heaters to gas. This proposal to Ontario Hydro was rejected. I would like to know what the reasons were for this rejection, considering that it was put forward as a model that could be used throughout the province.

Hon Mr Ferguson: Ontario Hydro would very much like to enter into a partnership with the city of Kingston on fuel switching. As the member knows, Kingston is in a unique position because it not only operates and owns the gas utility but also the electric utility. However, because our friends opposite have decided to hold up Bill 118 and send it out to committee on the road, for their own politically expedient reasons, we cannot promote fuel switching until the bill is passed. As a result, consumers will not be saving as much this winter as they possibly could and we will have to work all that much harder, given the time frames the ministry and Ontario Hydro will have to operate under.

Mr G. Wilson: I would like to know what the ministry is proposing until we can get the bill through as far as alternative fuel sources are concerned.

Hon Mr Ferguson: We have undertaken three very important initiatives. The first important initiative, of course, is to ensure that any newly constructed non-profit housing will not have electric heat; second, we have made the same commitment for government of Ontario buildings, and we will not be using hydroelectric heat there. The third thing we can do until we have to deal with this politically expedient problem across the way is to at least educate the public and provide them with the necessary information so they can make an intelligent decision on what form of energy to use for heat. It is well known today, because of the decisions and mistakes made in the past, that electrical heat is the most expensive form of heat being used today in Ontario.

POLICE SERVICES

Mr Conway: My question is for the Solicitor General. While the Premier was sipping champagne and contemplating neo-isolationism in the shadow of the Paris Opera, the Ontario Provincial Police are continuing to experience budgetary pressure the like of which we have not seen here in my time in this Legislature. When he and I last chatted some two weeks ago about the extent of this budgetary pressure, my good friend the Solicitor General suggested that I was perhaps overstating the case.

In the intervening two weeks I have had the opportunity to read the Eganville Leader of Wednesday, November 13, and Wednesday, November 20, and the Ottawa Citizen of yesterday, all of which report and quote rather directly sources within the eastern regional office of the Ontario Provincial Police that in fact these budgetary pressures are real and that in fact we now find ourselves in a

situation where police officers are volunteering to serve; they have contributed in the eastern regions thousands of hours so they can maintain a basic level of service.

Is the Solicitor General aware that the budgetary problem has now got to such a point that we have OPP officers in eastern Ontario volunteering their time to ensure a minimum level of protection to citizens in my part of the province?

1450

Hon Mr Pilkey: First, may I respond by saying I certainly appreciate the member's use of sesquipedalian words in the Legislature. It certainly elevates the quality of debate. I thank him for that.

Second, in terms of the policing services in the eastern region, it is interesting that the member quoted me some circumstances a few weeks ago, and that upon further reflection and investigation by the media they found quite the opposite. I do not know if that will be the case in this particular circumstance, whether history will repeat itself, but we will wait with interest to find out.

I did notice, however, in some of the other media reports I have received in the eastern region, more particularly in Kanata just outside of Ottawa, where one individual was concerned about the service of the OPP and potential cutbacks but said, "I think that would be a real shame, because right now we're getting pretty good service."

I think we are getting good service. Along with the member opposite I do share concerns if funding is not available and there is a dilution in the future. At the moment I believe the OPP are continuing to do the fine, sterling job they have in the past, and the general community is being served.

Mr Conway: I will make two quick references to quotes in the regional press. An OPP constable in eastern Ontario was quoted directly in the Eganville Leader of November 13 as saying, "They"—meaning the Ontario government—"are cutting everything to the bone and they're butchering us so badly we can't function."

The Lindsay Daily Post editorialized the other day, "The Ontario government is sticking its head in the sand by refusing to acknowledge a problem affecting policing in this area," namely, Victoria county. The word is out that the Reduce Impaired Driving Everywhere program is the next to be chopped. Can the Solicitor General confirm in his place today that the RIDE program will go forward in this Christmas season without any alteration relative to what we have enjoyed in the last two years?

Hon Mr Pilkey: I know the RIDE program is working in Durham region, because about three nights ago I was stopped by it and observed it in yet another location. I can attest that at least the regional forces are certainly continuing. To the best of my knowledge the RIDE program is continuing with the OPP as well.

The member will appreciate that there are fiscal constraints with respect to all areas of endeavour with this government. The Ministry of the Solicitor General does not escape the kind of scrutiny and the type of concern the Treasurer must exert in this very difficult recessionary period,

even though many of the fiscal difficulties he faces are brought to him by other levels of government.

Notwithstanding that, I can assure the member opposite that this minister will fight as hard and as deliberately as he can—and I believe quite successfully—with this government to ensure that the kind of public safety and service the people of this province have enjoyed in the past will continue to be the kind of safety and service they will receive well into the future, including the RIDE program.

VEHICLE LICENSING OFFICES

Mr Turnbull: My question is to the Minister of Transportation. I welcome my colleague back from Europe. It is rather unfortunate I have to focus him away from Dom Perignon and pâté. I will remind the minister that I asked him October 21 in the House about the ministry's plans for the driver/vehicle licensing officers. I want to remind him of his words:

"We are satisfied with the 288 people—the private system at its best.... The system is working quite fine. If it ain't broke, don't fix it."

It is actually 1,500 people who work in these offices. I want to point out some contradictory statements. Last month the assistant deputy minister, Alex Kelly, told the executive of the licence issuers association that the Ministry of Transportation was looking to have auto insurance companies offer all vehicle transactions now done in registry offices.

In addition, three weeks ago Janet Faas, the director of licensing and control, met with the licensing association and said the Ministry of Transportation was looking for one-stop shopping for vehicle insurance and registration.

Also, on October 1 the Premier wrote to a constituent, "Our government will also explore, along with industry, a joint venture that could lead to a system of one-stop shopping."

Interjections.

The Speaker: Just a minute. Would the member quickly place a question.

Mr Turnbull: There is a lot of confusion. The people who work in registry offices want to know if the minister will honour his commitment and tell the other ministries to back off. Which is the case? Which is the correct situation?

Hon Mr Pouliot: I appreciate the question from the member opposite. It was not Dom Perignon. It was merely a humble bottle of Beaujolais Nouveau. The member stands to be educated. It would be quite a step from a place where you eat to a place where you dine. More specifically, the trip was the fourth Sommet de la Francophonie. It was entirely funded courtesy of the federal government, so some of the money is coming back.

More important, I had the opportunity some two weeks ago to meet with the women and men in those 288 offices who provide that essential service, to give them the assurance that there will be no changes. Although we are committed to looking at our options, those people who have been providing the service are doing an excellent job and our intent at all ministries concerned is that if it ain't broke, don't fix it; it is business as usual.

Mr Turnbull: I am delighted to hear that. I would suggest the minister communicate with the Ministry of Financial Institutions and tell it to stop its plans and also communicate that to the Premier. Will he undertake today to indicate to them that he is not going to make any changes and they should stop these communications which upset the people who work in these offices?

Hon Mr Pouliot: The collective works best when there is co-operation. With all due respect possible, the member should stop selling fear. There is nothing out there. The member opposite forces me to become repetitive. The system is working well and it will keep on working well. There is nothing wrong with the system.

Mr Turnbull: Why is the Premier sending these letters out?

Hon Mr Pouliot: The Premier is not sending them. He has a second or third supplementary now. There is no stopping him. The system is operating well and we have no intentions of changing it.

The Speaker: New question, the member for Yorkview.

Mr Mammoliti: I am glad I made it. I missed the comment made by the member for York Centre. He was his usual—

The Speaker: Your question is to whom?

METHANE GAS LEAK

Mr Mammoliti: I address my question to the Minister of the Environment. It concerns an issue the ministry has been aware of for some time. The minister has received correspondence from my office bringing to her attention a very serious matter in my riding of Yorkview. I attended a meeting where some 450 residents of the Bluehaven community expressed their anger at the potential environmental danger of constructing a proposed project in their neighbourhood.

I am told the area in question, at the corner of Finch Avenue and Ardwick Boulevard, was once adjacent to a dump site and that the Bluehaven public school located near the site was allegedly closed due to methane gas leakage. The residents' fear for their children is understandable. My constituents have asked me to bring these concerns directly to this House. I ask the honourable Minister of the Environment what she has done to address this situation, and what the ministry is prepared to do as well.

1500

Hon Mrs Grier: I know of this member's deep concern about this issue and I hope his constituents are aware of his ongoing attention to it. I also want to reassure him that based on the information provided to my ministry, my technical staff have determined there are no environmental hazards that would affect development of the site to which he refers.

I know there have been a number of letters to my ministry from residents who feel this site was a former landfill. I want to reassure the member and his constituents that this in fact is not the case. The site is adjacent to a landfill that was closed 25 years ago, and the school to which the

member referred was adjacent to another landfill that was closed an equally long time ago.

In response to the member's question as to what my ministry is prepared to do, I am happy to tell him that I have recommended to the developers—

Interjection.

The Speaker: Order, the member for St George-St David.

Hon Mrs Grier: —that they conduct additional gas migration studies to ensure that the future occupants of the project will not at any time in the future be impacted by the adjoining landfill, and I am rather surprised to learn that there has not been a public meeting at which both the developers and the residents have had an opportunity to discuss the environmental studies. If it would be of assistance to the neighbourhood, my ministry would be prepared to attend such a meeting.

Mr Mammoliti: I am glad to hear that the minister is prepared to meet with some people in the community. I would like at this time to ask her if she is prepared to meet with the mayor of North York as well, seeing that he has gotten himself involved in this. As a matter of fact, he has had a few choice words to say about the minister in the past. I would like perhaps to meet with him and to talk about this particular problem and see whether or not we can come to a mutual agreement among all of us.

Hon Mrs Grier: As I indicated in my response to the first question, I think it is important that there be a meeting between representatives of the ratepayers group or the residents concerned and the developer, and should the mayor wish to attend such a meeting, I know my staff would be more than happy to share the technical studies and the information we have with the mayor.

INVESTIGATION INTO RELEASE OF DOCUMENTS

Mr Phillips: My question is of the Premier, and it has to do with the use of the OPP by the government to conduct investigations against the opposition and our Ontario public service employees. We know of at least three times in the past six months when cabinet ministers have approved a decision to use the OPP to conduct investigations into leaked documents. Twice these investigations included members of the official opposition in the Legislature.

My question to the Premier is this: Was the plan to call in the police in any of these three cases—the Ministry of Natural Resources, the Ministry of Treasury and Economics and the Ministry of the Environment—discussed with him or anyone in his office or the cabinet office before the call was made to the OPP to launch the investigation?

Hon Mr Rae: I was not consulted before any such decisions were made.

Mr Phillips: I would like it if the Premier, in a supplementary, would answer all of my first question, and if the Speaker will permit me, I will include my supplementary as well.

The people of Ontario are asking to know on what basis these investigations or interrogations are launched, because I think the Premier can appreciate it is a very

serious matter when the OPP is used to investigate the opposition.

In the case of the Treasury investigation, the Treasurer said the document that was released was not a sensitive document. The reason the OPP was called in was that the process was not airtight; the OPP was called in to make it airtight. What does this say to the opposition and to our public service and to the people of Ontario?

My question to the Premier is this: What are his standards for calling in the OPP? Can we expect that the OPP will be called in when any minister wants to make the process within his or her ministry airtight?

Hon Mr Rae: In each case, I say to the member for Scarborough-Agincourt—and I hope he will appreciate that I will obviously take some notice of his question—to my knowledge, and I have not had a chance recently to discuss the details of each instance that was raised by him, the decisions made were made by ministries, not made by ministers, not made by political staff and not consulted with political staff. They were decisions made by ministries.

With respect to the second question, the member for Scarborough-Agincourt knows full well that with respect to the preparation of a budget, for example, there are real questions about the process and making sure that people who would be in a position to take advantage of any budget get information not get that information prior to the release. We have all been through this in the House over many years, as in Ottawa.

When the member talks about—what was the phrase he used exactly?—making sure the process is airtight, I think is how he described it, it has to do with the question of budget secrecy. That is what the Treasurer referred to in the answer I know he gave in the House a few days ago and that is all he was referring to.

The Speaker: New question.

Hon Mr Rae: If I could just make one other point briefly, I understand the House leader has made it very clear that we are quite happy to have this entire matter discussed in front of a parliamentary committee, and we would be very pleased to do so.

AIR QUALITY

Mrs Marland: My question is of the Minister of Education and it concerns the problem of indoor air quality in schools, particularly in portable classrooms. The Dufferin Peel Roman Catholic Separate School Board has one school, St Basil, in which air is considered to be uncomfortable. Some other schools have problems which must be corrected. These problems are not unusual, and they exist in many schools across Ontario.

In a letter to me dated October 7, 1991, the former Education minister said: "The ministry is not in a position to fund the installation of mechanical systems in schools where they did not previously exist. However, under certain circumstances, the board may request renovation funding for existing systems through the regular capital expenditure process."

Considering how little the boards are receiving through the capital expenditure process, this is hardly a solution. We are talking about air that makes children sick and impedes

their ability to learn. What action will the minister take to ensure that indoor air in schools is healthy and comfortable?

Hon Mr Silipo: Let me say to the member opposite that I agree with her that the question of air quality is a concern to all of us and certainly to me as Minister of Education and particularly in the context she raises it, in a number of schools and students that have to use portables. Clearly the solution to this in the short term is probably not a satisfactory one. I know my officials are trying to work with school boards to make suggestions about things that could be done in the short term.

In the long term, quite frankly, I think the solution involves a re-examination of the way in which we spend money to build schools and to renovate schools, and that clearly is part of the examination we are having of the whole refinancing of education and something I think we will take seriously in trying to come up with some solutions.

Mrs Marland: Indoor air quality standards are part of the Ontario Building Code and the Occupational Health and Safety Act, and we need legislated standards for indoor air quality. We must have better co-ordination between the ministries involved, which must also reach some consensus on indoor air quality issues. We need a cost-sharing agreement for the considerable expense of installing mechanical ventilation units in portable classrooms particularly. Will the minister ensure that an interministerial task force will give indoor air quality the attention it deserves, and will he work with the school boards to ensure that a fair funding arrangement is achieved?

Hon Mr Silipo: Let me say to the member that I am not sure an interministerial task force is necessarily the answer, but clearly the question of co-ordinating our efforts with ministries like the Ministry of the Environment is essential. My understanding from my officials is that, in fact, that is what we have been doing, and certainly we will continue to do that. I will certainly be interested in taking a closer look at the suggestion the member makes to see if there are things in her suggestion that can be done that we are not pursuing, but I think the question of air quality is one that is important.

As I said earlier, there are a number of things we are doing to work with school boards and with other ministries to indicate some things that can be done to address the individual problems that are brought to our attention, but clearly we also know that we need to find some longer-term solutions.

1510

DEER POPULATION

Mrs MacKinnon: My question today is directed to the Minister of Natural Resources. The Pinery Provincial Park is located in my riding of Lambton county, and it boasts a unique blend of oak, savannah and Carolinian forest. Unfortunately, the steadily increasing deer population over the last number of years not only poses a threat to the park ecosystem, but area farmers have also experienced losses due to deer predation of their crops. The situation has been historically overlooked and put off, and my constituents are increasingly concerned as to the ministry's

intention. Would the minister please let my constituents know today what this government's commitment is to their very pressing concerns?

Hon Mr Wildman: The member is quite right. There have been a number of issues raised and considerable correspondence with me from various people in the area over the issue of deer overpopulation in the Pinery and surrounding area. Anglers, hunters, farmers, naturalists and local residents generally have indicated it is very important that we work to resolve this problem. We have a responsibility, as I am sure the members will agree, to satisfy the requirements of the Environmental Assessment Act. The experience we have had at Rondeau Provincial Park has given us some information that will be beneficial for us in the management exercise. I would close by indicating to the member and to all members of the House that we are going to begin public consultation regarding the various approaches we could use for reducing deer numbers in January 1992.

Mrs MacKinnon: I thank the minister for his concise answer. A time line is definitely of some comfort to the constituents of Lambton county. However, there has been much discussion on the appropriate action that will be taken. Will this consultation allow for real public input, or does the ministry already have a plan in place that will be implemented, regardless of public opinion?

Hon Mr Wildman: I might be facetious and indicate that we are not intending to consult the deer. However, I will say that we will be consulting widely and it will be important that we get public assistance to ensure that we protect the park values at the Pinery, as well as dealing with the overpopulation of deer.

This situation is not unique to the Pinery. Farmers across Ontario are experiencing difficulties with the overpopulation of deer, and my ministry and the Ministry of Agriculture and Food are working together to see if we can come up with some solutions in the near future. We have 15 proposed options we could use—

Mr Jackson: Oh, list them all.

Hon Mr Wildman: No. I will just list that they range from fencing to a controlled hunt to a cull within the park. All of these have advantages and disadvantages, and that is why we hope to have real public consultation which will help us to choose one, or a combination of options, that will be the best for the deer population and for the people who are concerned about this issue.

PETITIONS

YOUTH MINIMUM WAGE

Mr Carr: I am very pleased, on behalf of Heather Osberg, a student at Queen Elizabeth Park Secondary School, to present a petition signed by 432 concerned students who live in my riding of Oakville South which reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the government of Ontario has stated its objective to eliminate the youth minimum wage differential by 1992; and

"Whereas such action will seriously reduce available job opportunities for Ontario students;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Until the Ministry of Labour can assure the Ontario student population that no student jobs will be lost by the elimination of the youth minimum wage differential, we urge the government to maintain the current differential."

That is signed by 432 students and was put together by a fine student by the name of Heather Osburg, who worked very hard getting those names together.

INTRODUCTION OF BILLS

VEHICLE AND PEDESTRIAN SAFETY ACT, 1991

LOI DE 1991 SUR LA SÉCURITÉ DES PIÉTONS ET DES VÉHICULES

Mr Chiarelli moved first reading of Bill 157, An Act to provide for Vehicle and Pedestrian Safety / Projet de loi 157, Loi prévoyant la sécurité des piétons et des véhicules.

Motion agreed to.

Mr Chiarelli: I explained this bill in more detail earlier in my member's statement, but very briefly, the bill would prohibit persons from walking or running on highways or railway tracks or driving vehicles on highways while wearing earphones. The prohibition would not apply to the wearing of hearing aids.

LABOUR RELATIONS AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT LA LOI SUR LES RELATIONS DE TRAVAIL

Mr Mackenzie moved first reading of Bill 158, An Act to amend the Labour Relations Act with respect to the Industrial, Commercial and Institutional Sector of the Construction Industry / Projet de loi 158, Loi modifiant la Loi sur les relations de travail en ce qui a trait au secteur industriel, commercial et institutionnel de l'industrie de la construction.

Motion agreed to.

Hon Mr Mackenzie: This bill amends the Labour Relations Act to make certain changes relating to the industrial, commercial and institutional sector of the construction industry. The term of province-wide agreements will be increased from two to three years. When a vote is conducted to ratify a province-wide agreement, counting of the ballots will not be allowed until all the voting in the province is completed. Section 152 will be added to the act to provide for the establishment of a corporation to facilitate the collective bargaining and otherwise assist the sector. Labour, management and government will be equally represented among the members of the corporation. The corporation will be funded by labour and management.

NOTICE OF DISSATISFACTION

The Speaker: Before calling for orders of the day, pursuant to standing order 33, the member for Brampton North has given notice of his dissatisfaction with the answer to his question given by the Minister of the Environ-

ment concerning Bill 143 and its implications regarding the environmental bill of rights. This matter will be debated at 6 pm.

ORDERS OF THE DAY

RETAIL BUSINESS ESTABLISHMENTS STATUTE LAW AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT DES LOIS EN CE QUI CONCERNE LES ÉTABLISSEMENTS DE COMMERCE DE DÉTAIL

Deferred vote on the motion for third reading of Bill 115, An Act to amend the Retail Business Holidays Act and the Employment Standards Act in respect of the opening of retail business establishments and employment in them / Projet de loi 115, Loi modifiant la Loi sur les jours fériés dans le commerce de détail et la Loi sur les normes d'emploi en ce qui concerne l'ouverture des établissements de commerce de détail et l'emploi dans ces établissements.

1524

The House divided on Mr Pilkey's motion, which was agreed to on the following vote:

Ayes—63

Abel, Akande, Allen, Boyd, Carter, Charlton, Christopherson, Churley, Cooke, Cooper, Coppen, Dadamo, Duignan, Farnan, Ferguson, Fletcher, Frankford, Gigantes, Grier, Haeck, Hampton, Hansen, Harrington, Hayes, Hope, Huget, Jamison, Johnson, Klopp, Kormos, Lankin, Laughren, Lessard, Mackenzie, MacKinnon, Mammoliti, Marchese, Martel, Mathysen, Mills, Morrow, Murdock, S., North, O'Connor, Owens, Perruzza, Philip, E., Pilkey, Pouliot, Rae, Silipo, Sutherland, Ward, B., Ward, M., Wark-Martyn, Waters, Wessinger, White, Wildman, Wilson, G., Winninger, Wiseman, Ziemba.

Nays—32

Arnott, Bradley, Callahan, Caplan, Carr, Chiarelli, Conway, Cousens, Cunningham, Grandmaître, Harnick, Jackson, Jordan, Mahoney, Mancini, Marland, McClelland, Miclash, Offer, O'Neil, H., O'Neill, Y., Phillips, G., Poirier, Poole, Runciman, Scott, Sola, Sorbara, Stockwell, Tilson, Turnbull, Wilson, J.

Hon Mr Cooke: His Honour the Lieutenant Governor awaits to give royal assent to certain bills. Since this may be the last time the current Lieutenant Governor comes into the assembly, I ask that the Premier, the Leader of the Opposition and the deputy House leader for the Conservative Party go get the Lieutenant Governor.

1530

His Honour the Lieutenant Governor of Ontario entered the chamber of the Legislative Assembly and took his seat upon the throne.

ROYAL ASSENT

Hon Mr Alexander: Pray be seated.

The Speaker: May it please Your Honour, the Legislative Assembly of the province has, at its present meetings thereof, passed certain bills to which, in the name of

and on behalf of the said Legislative Assembly, I respectfully request Your Honour's assent.

Clerk Assistant and Clerk of Journals: The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 42, An Act to revise the Arbitrations Act / Projet de loi 42, Loi portant révision de la Loi sur l'arbitrage.

Bill 43, An Act respecting the regulation of Health Professions and other matters concerning Health Professions / Projet de loi 43, Loi concernant la réglementation des professions de la santé et d'autres questions relatives aux professions de la santé.

Bill 44, An Act respecting the regulation of the Professions of Audiology and Speech-Language Pathology / Projet de loi 44, Loi concernant la réglementation des professions d'audiologiste et d'orthophoniste.

Bill 45, An Act respecting the regulation of the Profession of Chiropody / Projet de loi 45, Loi concernant la réglementation de la profession de podologue.

Bill 46, An Act respecting the regulation of the Profession of Chiropractic / Projet de loi 46, Loi concernant la réglementation de la profession de chiropraticien.

Bill 47, An Act respecting the regulation of the Profession of Dental Hygiene / Projet de loi 47, Loi concernant la réglementation de la profession d'hygiéniste dentaire.

Bill 48, An Act respecting the regulation of the Profession of Dental Technology / Projet de loi 48, Loi concernant la réglementation de la profession de technologue dentaire.

Bill 49, An Act respecting the regulation of the Profession of Dentistry / Projet de loi 49, Loi concernant la réglementation de la profession de dentiste.

Bill 50, An Act respecting the regulation of the Profession of Denturism / Projet de loi 50, Loi concernant la réglementation de la profession de denturologue.

Bill 51, An Act respecting the regulation of the Profession of Dietetics / Projet de loi 51, Loi concernant la réglementation de la profession de diététiste.

Bill 52, An Act respecting the regulation of the Profession of Massage Therapy / Projet de loi 52, Loi concernant la réglementation de la profession de massothérapeute.

Bill 53, An Act respecting the regulation of the Profession of Medical Laboratory Technology / Projet de loi 53, Loi concernant la réglementation de la profession de technologue de laboratoire médical.

Bill 54, An Act respecting the regulation of the Profession of Medical Radiation Technology / Projet de loi 54, Loi concernant la réglementation de la profession de technologue en radiation médicale.

Bill 55, An Act respecting the regulation of the Profession of Medicine / Projet de loi 55, Loi concernant la réglementation de la profession de médecin.

Bill 56, An Act respecting the regulation of the Profession of Midwifery / Projet de loi 56, Loi concernant la réglementation de la profession de sage-femme.

Bill 57, An Act respecting the regulation of the Profession of Nursing / Projet de loi 57, Loi concernant la réglementation de la profession d'infirmière ou d'infirmier.

Bill 58, An Act respecting the regulation of the Profession of Occupational Therapy / Projet de loi 58, Loi concernant la réglementation de la profession d'ergothérapeute.

Bill 59, An Act respecting the regulation of the Profession of Opticianry / Projet de loi 59, Loi concernant la réglementation de la profession d'opticien.

Bill 60, An Act respecting the regulation of the Profession of Optometry / Projet de loi 60, Loi concernant la réglementation de la profession d'optométriste.

Bill 61, An Act respecting the regulation of the Profession of Pharmacy / Projet de loi 61, Loi concernant la réglementation de la profession de pharmacien.

Bill 62, An Act respecting the regulation of the Profession of Physiotherapy / Projet de loi 62, Loi concernant la réglementation de la profession de physiothérapeute.

Bill 63, An Act respecting the regulation of the Profession of Psychology / Projet de loi 63, Loi concernant la réglementation de la profession de psychologue.

Bill 64, An Act respecting the regulation of the Profession of Respiratory Therapy / Projet de loi 64, Loi concernant la réglementation de la profession d'inhalothérapeute.

Bill 73, An Act to repeal The John Graves Simcoe Memorial Foundation Act, 1965 / Projet de loi 73, Loi portant abrogation de la loi intitulée The John Graves Simcoe Memorial Foundation Act, 1965.

Bill 75, An Act to amend the Law Society Act / Projet de loi 75, Loi portant modification de la Loi sur la Société du barreau.

Bill 76, An Act to repeal the Fraudulent Debtors Arrest Act / Projet de loi 76, Loi portant abrogation de la Loi sur l'arrestation des débiteurs en fuite.

Bill 115, An Act to amend the Retail Business Holidays Act and the Employment Standards Act in respect of the opening of retail business establishments and employment in them / Projet de loi 115, Loi modifiant la Loi sur les jours fériés dans le commerce de détail et la Loi sur les normes d'emploi en ce qui concerne l'ouverture des établissements de commerce de détail et l'emploi dans ces établissements.

Bill 126, An Act authorizing the Filing of Information in an Electronic Format under Statutes administered by the Minister of Consumer and Commercial Relations / Projet de loi 126, Loi autorisant le dépôt de renseignements au moyen d'un support électronique dans le cadre de lois dont l'application est confiée au ministre de la Consommation et du Commerce.

Bill 131, An Act to Amend the Fire Marshals Act / Projet de loi 131, Loi modifiant la Loi sur les commissaires des incendies.

Bill 146, An Act to amend the Courts of Justice Act, 1984 in respect of Payments to Supernumerary Judges / Projet de loi 146, Loi modifiant la Loi de 1984 sur les tribunaux judiciaires en ce qui concerne la rémunération des juges surnuméraires.

Bill Pr62, An Act respecting the City of North York.

Bill Pr68, An Act respecting the Armenian Community Centre of Cambridge.

Clerk of the House: In Her Majesty's name, the Honourable the Lieutenant Governor doth assent to these bills.

Au nom de Sa Majesté, l'Honorable lieutenant-gouverneur sanctionne ces projets de loi.

TRIBUTES TO HIS HONOUR HOMMAGES À SON HONNEUR

Hon Mr Rae: On this occasion, I might ask members to sit down and invite you, sir, for a moment to be seated so that we can perhaps, in a rather unusual way, say farewell once again. I know this is probably out of every rule, but I nevertheless think by unanimous consent we can do almost anything and I am sure members would agree with me that we should be doing that.

About 30 years ago, there was an early Canadian film called Nobody Waved Goodbye. If one were to make a documentary of your leaving office, sir, it would be Everyone Waved Goodbye. What is more, we spent about six months doing so.

There is great goodwill to you, sir, for the services you have rendered to the province and to the people of Ontario. There is a true outburst of affection for you and I believe for the office that you hold as a result of the way in which you have carried on your responsibilities.

There are people all over the province, disabled people, older people, younger people, schoolchildren, business people, people of all backgrounds, people of all persuasions, people of all faiths, people of all political parties, people throughout the province who have looked to you, sir, for the kind of presence, the leadership, the enormous good humour, the great goodwill, the perspicacity, the wisdom you have given.

I shall personally miss you a great deal in your current office and I want to express my own personal thanks as well as the thanks of the members of the government side for the work you have done and the affection we feel for you.

Au nom de tous les députés de la Chambre, je veux vous offrir nos sentiments les plus profonds pour le travail que vous avez fait, pour les grands sacrifices personnels dans les cinq ou six années qui viennent de passer. Vous avez été quelqu'un qui a changé : vous avez changé l'Ontario, vous avez changé l'office du lieutenant-gouverneur, et je suis certain que je parle pour tous les députés quand je vous dis que vous avez tout notre respect et nos profonds remerciements pour le travail que vous avez fait. Merci beaucoup. Thank you, Mr Speaker.

1540

Mr Bradley: As the leader of the Liberal Party in the Legislature, if I may join the Premier in paying tribute to His Honour, I would be privileged to do so. I cannot think

of an individual in Ontario who has contributed more, first of all, to his community as an individual representative in a constituency in the federal House of Commons, then to the province, as a Lieutenant Governor of this province, and to this country, when you sat in the federal cabinet and were involved in the deliberations of the House of Commons. I also cannot think of an individual who has brought more dignity to the office of Lieutenant Governor, while at the same time being down to earth.

I suppose Rudyard Kipling referred to it best in his poem If, when he made reference to an individual who could walk with kings and keep the common touch. Certainly, Your Honour, that is something all of us observed in each one of our communities.

When I look at the schedule you had to maintain over the years, I recognize that there was no community too insignificant, no organization too small, no individual too unimportant for the clasp of your hand, for a few kind words, for your presence with those individuals who are the people of Ontario, and that is something we shall not soon forget.

Those of us in partisan politics are often critical of actions taken by those in other parties. We could be unanimous in this House, I suggest, in complimenting the Prime Minister of Canada, Brian Mulroney, on his appointment of you to the position of Lieutenant Governor of Ontario, naturally with the assistance of the Queen insisting that you would be the most appropriate person, no doubt.

As the Premier I think appropriately pointed out, equally at ease, it seems to all of us who observed, with the very elderly or the youngest of children, with people of all backgrounds in Ontario, you have been a uniting force at a time when it is very difficult, in terms both of the politics of confrontation that takes place in the House each day and of the politics of division that we see in our country.

You have been one of the unifying sources that everyone in this province is proud of. You have enhanced the monarchy in this country, in Ontario, as the Queen's representative. Your presence has added to every occasion where you have been present with the people of this province, whether it is a state dinner or in the chapel or the basement of some church on a Sunday afternoon.

We wish you well, Your Honour, as you enter your retirement, if we can refer to it as that. Ontario is quite obviously a better place as a result of your service.

Mr Cousens: It gives me great pleasure to rise on behalf of our leader, Michael Harris, the member for Nipissing, who I know is sorry he cannot be here to share in this moment, one of those rare moments when all members of the House can share a common view and where we drop the partisan lines and we look at the person and with deep appreciation acknowledge the tremendous contribution that you, Your Honour, have given to our province.

As Her Majesty the Queen's representative, you have represented her well and nobly and constantly. I truly respect the great leadership you have given. Indeed, you will go down in history as one of the truly great Lieutenant Governors of Ontario.

I do not know how you find the energy. When you have visited schools, when I have been there, everyone goes away with the sense that something has happened. You bring the magic of personality, but more deeply, a sense of love—a love of people, a love of the province, a love of principle, a love of this country of ours that has been shared, and shared beautifully.

As you now go to be chancellor of the University of Guelph, we know the students and faculty there will benefit as well from your continuing leadership. On behalf of our party we say thank you for a job well done, and may you continue to have good health to be able to share the wisdom you have with the rest of the province of Ontario.

Hon Mr Alexander: Mr Speaker, Mr Premier, Mr Bradley, Mr Cousens, distinguished members of this wonderful place, I am touched and very surprised. I had no idea that this was going to happen. It is really a sad day for me. It reminds me of when I left Ottawa, never to return to the House. I think with some certainty this will be the last time I will be here. I am pretty sure now.

It has been a long haul but I can tell you this: I can think of no better job. I can think of no greater challenge than to be the representative of Queen Elizabeth II. It has been a wonderful experience for me. It has taught me a lot, as I have said. I have watched the people of Ontario. I am proud of the people of Ontario and I am proud of what you do.

It has been difficult for me to stand on the side without becoming partisan, but I hope I have met that expectation, not to be partisan. I have learned what this province is all about and I have seen how hard you work. I just want to let you know that if at any time I can speak out in terms of letting the people of this province, of this country, know how hard elected members pursue their responsibilities and with such excellence, I will do so.

I am leaving now with very mixed emotions. I have loved this work. That is why I always wanted to be in the House to give royal assent. I appreciated the fact that it can happen in my office, but this is where I belong. This is where I was born, as a matter of fact: in the House.

I want to thank you for your many kindnesses. I want to thank you for the warmth you have extended to me. You have inspired me, and I mean that, because I know where you are coming from. You have encouraged me, you have supported me, and I want to thank you for all of that.

So as I leave now, I will never forget you. I leave with a feeling of satisfaction in that I believe you know that I have tried my best to make this office more accessible. I believe you know I have tried to make this office more in keeping with the expectations of the people of Ontario, that is, to be a people's Lieutenant Governor. I believe you know I have tried to remove the mystique from this office. With that, I can say that going to schools was one of the greatest things I think I could have done, because students of today are the leaders of tomorrow. That was my mandate. That was my thing, as they say. If I have saved one kid, if I have saved only two, then I believe I have been a success.

Thank you so much for the generous and warm reception you have given to me this afternoon. I really did not expect it. Now I am signally honoured to stand here as Her

Majesty's representative in and for the province of Ontario for the last time, I guess, in order to extend to each and every one of you every best wish. May God continue to watch over you and may your every dream become a reality. Thank you very much.

1550

WASTE MANAGEMENT ACT, 1991

LOI DE 1991 SUR LA GESTION DES DÉCHETS

Resuming the adjourned debate on the motion for second reading of Bill 143, An Act respecting the Management of Waste in the Greater Toronto Area and to amend the Environmental Protection Act / Projet de loi 143, Loi concernant la gestion des déchets dans la région du grand Toronto et modifiant la Loi sur la protection de l'environnement.

The Speaker: I believe the member for Markham had the floor when we left off.

Mr Cousens: It is somewhat difficult to get into the hard duty of Bill 143 after one of those moments in which this House had such a wonderful spirit and where there is just an obvious outpouring of love and affection for a leading citizen of Canada and certainly an ambassador of Her Majesty the Queen. Yet now I have to get into this, which is Bill 143, An Act respecting the Management of Waste in the Greater Toronto Area and to amend the Environmental Protection Act.

There are a number of points I would like to make pursuant to my initial presentation of last Tuesday when I had a chance to begin my comments. Today I specifically asked the Minister of the Environment if there could be a delay in the time frame in which the public could respond to her pamphlet, Waste Reduction Office Initiatives Paper 1: Regulatory Measures to Achieve Ontario's Waste Reduction Targets.

This document was released on October 9 and the minister expects to have all the comments submitted to her for consideration by December 6, less than a two-month period for that consultation process to take place. Indeed, there is so much to this that I question how possible it is for business to have an opportunity to put the thoughts together that would really be required with such a comprehensive and important document.

I do not think there is anyone in this House who would not agree with what she says in her press release of October 9, "We are moving away from consumerism towards the conserver society." That is a belief I share, our party shares, and as I have talked to industry, it also believes in. Yet what we now have to have happen is a sharing and participation in that process, a method by which those who have concerns about this document have an opportunity to explain their views and present them honestly, intelligently, fully and completely—and time, as well, for the government to respond to it.

The worry we have is that when you have such an abbreviated time frame in which corporations and people have to respond to such an important paper, there is not sufficient time to give it the effort that is really required by such an important statement.

I have asked the minister to delay the December 6 deadline. Although today she said, "People can continue to react," I fear that when you have such an abbreviated time frame for people to respond to ministry papers, it causes them to throw up their hands and say, "They're not going to listen." Then what happens is that these regulations will go into effect next year—

Hon Mr Wildman: Do you want more time?

Mr Cousens: I need more time. It is becoming a major concern of industry about this government. They need some kind of time frame in which not to be surprised. If the government is going to come along with short time frames in which things have to be reacted to, it makes it very difficult for business or anyone else to react in the time frame given by this New Democratic government.

I am asking for an extension beyond December 6. The minister today did not make a commitment to extend it beyond that time frame. I ask again now in this House that the minister reconsider the December 6 deadline and allow a greater time frame. Let a press release—one of the many she has been good at presenting—come out and say, "You've now got a more realistic time frame, until the end of the first quarter of 1992, and up until that time we'll continue to receive comments from those who have to make them." That is my first point, that there be a delay in the time frame for responses to the regulatory measures.

People who are watching the Legislature and understand what is going on do not understand something of the pressure of time we are under. Bill 143, of which the regulatory measures are part, came into the House for first reading on October 24, and now, just over a month later, we are into second reading of this bill. The minister has said she would like to have this bill passed and put into law by the time we rise for the Christmas holiday on December 19. That is, again, one more month in which we would hope to achieve the minister's objective of completing the debate on this bill. Also, there has been some willingness on the part of the government House leader to have public hearings on the bill. Those public hearings would be held between now and December 19, something less than a four-week period of time.

I implore the government to understand something of the time it takes to resolve the concerns that are raised in this bill. I genuinely believe there is not sufficient time between now and December 20 to have this bill go out for the kind of public hearings that are required. The implications of this bill go far beyond the greater Toronto area and establish a precedent that can impact, in effect, municipalities all across Ontario. Some 837 municipalities may well have some comment they want to make on this bill.

The bill has only been out for a month, yet the minister wants, within one more month's debate, to have it passed and put into law. I really cannot believe that is a sufficient amount of time for the kind of debate that should take place around Bill 143. Though our caucus has reviewed this bill, we will be talking in greater depth again at our caucus meeting tomorrow on whether we can speed up the whole process. But I am worried that if we short-circuit the opportunity for extended debate from people across the

province we will have made decisions in this House and not had the opportunity to listen, as we should, to those viewpoints.

The minister and the government House leader may well try to invoke special powers that force the passage of this bill before December 20, when we rise. I sincerely hope they will not. I sincerely hope that this government will concur with our request, the request of the Ontario PC Party, that there be full public hearings on Bill 143 in which not only the municipalities of Metropolitan Toronto and area but all those other municipalities that want to participate in it will have a chance to come before the standing committee on resources development or some other committee to voice their concerns. I have to say that is a tremendously important issue.

The fact is that the Minister of the Environment has only had one bill before this House since this government took power on October 1, 1990. The first bill from the Ministry of the Environment is this Bill 143. We have not had to deal with any other legislation from this minister.

Mrs Caplan: It is not from the Minister of the Environment.

Mr Cousens: Well, it is the ministry of the greater Toronto area, but it is really an environmental bill. The member for Oriole points out that it is the ministry of the greater Toronto area. She may not be aware that when you bring up part IV of that bill, which really pertains to the Environmental Protection Act, it is a bill that could well be placed by the Minister of the Environment rather than by the minister of the greater Toronto area. That does not matter. The issue is that this is the first bill we have had before the House from this minister and the minister is expecting the House to deal with it very expeditiously.

I do not believe we can possibly deal with it at the speed which this minister is asking for; so what I am really asking for is an extension to the consultation time for the regulatory measures and I am asking for an opportunity for public hearings to take place on Bill 143.

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When I closed off my remarks the last day, I was commenting and I really had not the chance to say in greater detail my concerns about the Leader of the Opposition who, during the election campaign leading up to September 6, 1990, when the New Democrats won a majority government with 38% of the vote in Ontario—

Mr Jamison: It's still a majority.

Mr Cousens: Oh, it is still a majority. I respect the fact that they got the right to govern and they can do what they want. Well, they can do what they want in this province; all we can do as a responsible opposition is to challenge those issues that need to be challenged and hopefully find agreeable amendments that will allow changes to be made that will help make it a better system.

The fact of the matter is I was condemning the Premier for the statements he made prior to his election as Premier, when in fact he was near the Keele Valley landfill site and said at the time that there would be a full environmental assessment before any changes would be made to the Keele Valley landfill site. That is the kind of statement he

made that caused many people to say: "Here's a person who has a sense of the environment. You can't just arbitrarily change Keele Valley without a full environmental assessment." The fact that he said that gave people a sense of confidence that when he became Premier he would remember what he said when he was Leader of the Opposition.

I just want to put on the record how on June 27 this year I asked the Premier: "What did the Premier say, as Leader of the Opposition, when he was within spitting distance of the garbage dumps, about what he was going to do when and if he was Premier, about those garbage sites?" His answer, which is written in Hansard on page 2401, does not answer the question.

Some people wonder why we call it question period. It is called question period because we seldom get answers. When I asked the Premier what he said, he would not admit in this House to what he said. He went on to say, "I would say to the honourable member, and say it very directly to him, that we were faced with a very difficult choice. I will put the choices to him." Then he went on, and what a non-answer I began to get. The non-answer really was not consistent with the kind of statement the Premier made when he was Leader of the Opposition.

I think of the biblical quote which says, "Judge not, that ye be not judged. For with what judgement ye judge, ye shall be judged," for he who beholdeth the mote that is within his brother's eye and doth not behold the beam that is within his own shall be judged.

This very Premier had the opportunity of calling the previous Premier, David Peterson, a liar. When he was Leader of the Opposition, the Premier called David Peterson a liar. Now that he is Premier, the parliamentary system we are in makes it very difficult to call anyone a liar. I do not want to do that, nor would I do it. The onus falls upon him not to become something that he calls someone else. The fact that the Premier called David Peterson a liar makes me question just where he was coming from at that time. The onus falls upon him to set the example. If he is calling someone else a liar, one would not want him to fall into that same hole of mistruth.

I am concerned that in fact the Premier of this province has come along and has made the statement that he was going to do something with regard to Keele Valley and Britannia. He said there would be a full environmental assessment. Now that he is Premier, he and the Minister of the Environment are not prepared to go for a full environmental assessment.

What I would like to suggest is that he come clean and really say clearly what he meant to say back in the election campaign of September 6, 1990, or that he find some way within the political system for the people of Ontario to keep politicians honest.

If you are going to be a politician and you are going to make statements and you get elected on the basis of them, and then you do not live up to them, there should be some way in which the public at large can throw you out of office before the end of your four- or five-year term, or some way in which the public can be served. The public is not served by a politician who says one thing before he is elected and then once elected has quite a different position.

Is it any wonder that people have such a low regard for politicians? Once you do that, you destroy the trust you are trying to create. They trusted the Premier when they voted for him and his party on September 6, and now to retract fundamental promises that he made during that election campaign is something I take as a very serious breach of trust to the people of the province.

I have made the point strongly enough. The answer is not to be found in this House. I only say that we have to change the parliamentary system in some way so that we can have accountability of those who are elected to office so that they are then, in some form, accountable in an ongoing way for changes in policy, changes in thinking or changes in statements. The fact is that one seldom, if ever, gets an apology out of a government. Then when they come along and have a policy diametrically opposed to what they promised, it creates just a tremendous stigma around this profession of which we are part.

There were a couple of issues that I commented on earlier in my remarks; I would just like to go back to a couple of them. I want to thank the number of people who have written me and called me since I made those remarks, and I want first of all to be very clear on the record that when I talk on the subject of incineration, I am not taking a position that I favour incineration. The issue of incineration is something that I would like at least to have assessed by this government rather than closed off as a policy decision.

These are some of the questions coming out of the whole debate around incineration: How much garbage from the greater Toronto area and from Ontario is going across the border to the United States? How much of that garbage is ending up in incinerators? How much of the emissions from those incinerators comes back across Lake Ontario and the Great Lakes into Ontario through toxins and other substances that are carried by the air?

The questions have not been answered. I think they would be very difficult questions to answer by virtue of the fact that no one has really been able to quantify how much garbage is going across to the United States and how much garbage is being incinerated.

The fact of the matter is, if this government has a policy that is anti-incineration, why then does it allow and encourage so much transportation of garbage out of Ontario? First of all, it is a lot cheaper for companies and businesses and municipalities to send their garbage south of the border where the tipping fees are considerably less than they are here in Ontario. Because it is cheaper to send it down there and because they get rid of a lot of their garbage through incineration, we in Ontario then suffer all the ill effects of those incinerators that do not have the scrubbers and clean emission policies that are part and parcel of an incineration program that really has been well thought out and has gone through a full environmental assessment.

There are incinerators that churn out a tremendous amount of bad emissions and there are some that have more controls to them. I saw one of them in Minneapolis last year in which the emissions from an incinerator are far less than from coal furnaces, and yet that same incinerator is generating electric power for some 30,000 people.

All I am trying to say is that there is an issue on incineration which the minister has closed her mind to as if it cannot even be opened up or discussed or reviewed because it is a policy decision by the minister.

The challenge I have is very similar to the one being raised by Metropolitan Toronto council. Metro council has raised the question in its own efforts to try to come up with a solution, and on September 13 came along and established a task force that is reporting to the works committee on December 11, just some two or three weeks from now. An interim report will be presented to Metro council on the whole subject of incineration.

I looked at the members of the task force. They are the kinds of people I would want to hear from: Dr Steven McColl from the University of Waterloo; Dr Doug Chambers from Senes Consultants; Dr Murray Haight, University of Waterloo; Dr Don McKay, University of Toronto; Dr Virginia McClaren, University of Toronto; Dr John Hicks, Ryerson Polytechnical Institute; Dr Rodger Schwass of York University; Dr F C Hooper, University of Toronto.

The Metropolitan Toronto works committee has asked that this task force come back to conduct an in-depth comparative review of incineration versus landfill using all available evidence on the environmental, economic, social and health-related impacts of these two technologies to determine whether and under what circumstances one disposal technology would be chosen over the other and to deliver a report for public release to be presented to the works committee in March 1992.

My position is one that says they are in the process of gathering the latest up-to-date information on incineration; would it not be helpful for the minister to review and listen to and understand prior to making her decision, which she has made in Bill 143, excluding any further consideration of incineration as a way of reducing waste in Ontario? That is the challenge I have—only that she leave her mind open to it instead of precluding all the thinking by saying there will not be incineration. To do so opens up the opportunity for other options.

1610

May we go on the record that before there be any further steps towards incineration, there be a full environmental assessment on the matter? Let it go through the most detailed study possible to make sure that if the province decides to proceed with further incinerators—we already have some—that we do it with the latest technology, that we do it in the best possible way and that we do not reduce our reduction program, our reusing program or our recycling programs, that anything we do when dealing with what is left over after the 3Rs is something that leads to another benefit for the province.

I know there are many people who have mixed views on this subject. Within my own caucus there is not full unanimity, yet on important issues like this we seldom have total agreement by everybody, nor do we ask for it. But just allowing a minister in her position, where she has tremendous power as Minister of the Environment, to make a decision without even looking at other data is something that concerns me.

Last evening I took 45 minutes to look at an environmental video film on Stop the Incinerator. It is a report that has been put together by Mr Jon Hand. He has put together a workshop on the whole issue of incineration. He raises the issues that many people look at when they deal with incineration. I have a summary of his views. They point out what Paul Connett, one of the leading spokespeople in the United States against incinerators, has had to say and how state-of-the-art changes have made it a cleaner form of getting rid of waste.

There are so many myths around this subject. Why do we not at least expose all sides of the issue to an open, intelligent, scientifically based analysis that could be done through an environmental assessment? That in itself would allow us as Ontario citizens to say that we agree or disagree with the whole concept of incinerators. I realize that there are some 1,900 incinerators in Japan. I realize as well that we have some four million homes being provided with electrical energy from the energy-from-waste program through incineration. Is that not a positive R that comes out of the recovery of a benefit from waste through incineration? Are we not in a way able to deal with the issues around solid waste? If we are able to reduce the mass of that in landfill sites, then will we not need less landfill sites if we are able to reduce the amount by compacting it through burning?

All I am saying is that when we look at what Mahatma Gandhi did, he kept his mind open to change. He was always looking for the ultimate truth. Why then does the Minister of the Environment not allow a greater study to take place on the whole subject of incineration rather than closing her mind to it, as she has done already? It is a major issue. I do not pretend to have the answers on it. I do have the answer with regard to the fact that I am looking for an approach that allows that at least to be considered as an option, not excluded as an option but looked at and assessed and analysed. Then, when we are finished the whole thing, we will at least know where we stand rather than have the belief system of the New Democrats forced on the province in a way that does not reflect the kind of broad-minded thinking that could take place—broadly based thinking is really what I mean.

One of the other benefits that has come out of the use of incinerators—I have a report from Proctor and Redfern Ltd. We are really the leaders around the world in the kind of thinking that is coming out of such firms and engineers as Proctor and Redfern here in our province. They have said that if you look at what you can do with methane, you can take that methane and use it for the generation of electrical energy. You are also able to reduce the amount of global warming, because methane, as we know, is one of the major contributors to the greenhouse effect. If we began to look at the recovery of energy from waste, that could yield a tremendous amount of electricity.

I have some numbers here from initial studies they made, and I will just put it into the record. The recovery of the energy directly from one million tonnes of waste in an energy-from-waste plant would yield electricity worth approximately \$43 million at five cents a kilowatt-hour.

Can we not look at it? I beseech the Minister of the Environment to at least open that up for further consideration.

Mr Jordan: Is the Minister of Energy listening?

Mr Cousens: The critic for Energy asks if the Minister of Energy is listening. I hope he is. I see him in the House, and I am glad he is. I think it is not just a matter of the ministry. The point from the member for Lanark-Renfrew is a very valid one, that everyone has to be involved in the environmental crisis we are having. It is not just the Environment minister; it is also the Energy minister and all the government that begins to buy into viable solutions that could work to help us deal with this problem of waste and garbage.

Another issue I want to touch on briefly, to which I referred last week, has to do with the shipping of waste from the greater Toronto area. I want to thank the people from Kirkland Lake, who have since sent me a package on what has happened in Kirkland Lake with regard to the whole issue of shipping Metro's waste to the Adams mine site. They have corrected me in part. The municipality had a question on the ballots on November 12: "Are you in favour of a full environmental assessment of the Adams mine solid waste disposal and recycling project?" Some 69% of the people who voted in Kirkland Lake were in favour of that kind of decision. The referendum in Kirkland Lake supports having an environmental assessment on the Adams mine site. All they are asking for is the same thing I am asking for, that there at least be a full and public hearing on the subject of incineration.

The minister is now in a position where she is making decisions that affect all of us in the province without subjecting her thinking to an environmental assessment. All I am asking is that the minister open that up as a possibility.

When we start looking at the possibility of shipping Metro's waste to Kirkland Lake, we have another way in which we could reduce the cost of disposing of the waste in the greater Toronto area. I had not been aware of this, but the 5R solution—we are going to overwork the Rs, I know, but waste by rail is one of the Rs presented in this document. They point to a success story in Seattle, Washington, where they use rail services to transport the city's solid waste to a disposal site 430 kilometres from Seattle. The Union Pacific Railroad operates this double stack container train to Arlington, Oregon, daily. The waste compaction, loading and delivery systems are all state of the art. The containers and rail facilities are kept clean and neat and the municipal authorities are pleased with the efficiency, safety and environmental benefits of rail. If in fact we have a model that is working, such as this example in Seattle, Washington, why will the Minister of the Environment not open up her mind or her policy or the policy of the government to at least look at this as an option for Kirkland Lake?

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We are saying the proposal to transfer Metropolitan Toronto's and the greater Toronto area's waste to Kirkland Lake would mean we could transfer municipal solid waste in 48-foot enclosed containers. They would double stack

the containers on rail flatcars at CN's intermodal facility and then they would transport by rail, using Canadian National and Ontario Northland, to the Adams mine site near Kirkland Lake, some 600 kilometres north of Toronto, for recycling and disposal.

We are talking about jobs, we are talking about cheaper tippage fees than we have by continuing to use landfill sites within the greater Toronto area, and we are talking about an option that has at least to be looked at. The fact is that this minister has closed that as an option. I do not know how we do it, but it is costing more to do it otherwise.

We are talking about the economy of the north. I raised this as a question last week to the Minister of Northern Development and Mines, the member for Sudbury East. It was unfortunate, because the previous question that had been asked of the minister had to do with providing air transportation in northern Ontario. The minister went to great lengths to say, "I've been listening to the communities in the north, and they want to have different kinds of flight services around the north." Then I asked her what she was doing with regard to Kirkland Lake. The people in Kirkland Lake have asked the same minister to look at an environmental assessment to use the Adams mine site for the storage of garbage from the greater Toronto area in Kirkland Lake.

On the one hand, the minister was listening to her communities with regard to air service, yet the community of Kirkland Lake has asked her to look at an environmental assessment to take Metro's garbage at the Adams mine site and she will not listen to it. She would not listen to it; she will not listen to it. She is locked into the same closed-minded view that the Minister of the Environment has. They do not have to make up their minds; they do not have to take the decision. All I am asking is that they subject it to an environmental assessment. Through that process, the public will know that its best interests are served, because the environmental assessment process will allow all the considerations to be laid on the table. Why not do it that way? But this government refuses that kind of open-mindedness to another consideration.

I am extremely frustrated at the inability of this government to at least look at these two considerations. I reiterate that it is not my position that we should ship the garbage to Kirkland Lake. It is not my position that we should incinerate. I am saying we should look at them through a full environmental assessment, and then we will know whether it is right or wrong. That is how the decision can be made. It does not have to be made by the minister in her office, where she is listening to Greenpeace or some other group. These have very good motives and intentions, but she should look at all the facts. That is what I want to see happen. The failure of this government to do that is a concern to all of us.

There are a number of issues within Bill 143 that I would like to address in greater detail. I want to thank the chairman of my own environmental advisory council in Markham. A number of years ago, when I was beginning to really understand the importance of developing an environmental understanding of issues, I formed a committee that has continued to meet at my call in my constituency to

talk about environmental concerns. Last week, I had breakfast with Mr Ken Hoyle, who is chairman of my environment council. He is also a landscape architect and genuinely concerned about long-term interests and the way in which we as politicians can develop policies and create an environment that helps everybody to prosper and live together.

I have a quote from Ken Hoyle, and I want to talk about this for a moment. He said, "The needs of society must be balanced with the rights of the individual." What we are seeing with the bill that has been presented by the Minister of the Environment is that the needs of society would dominate over the rights of the individual. In fact, when Bill 143 is made law in Ontario, there are many rights that individuals will lose.

I am trying to work out in my own mind the harmony between the rights of society and the rights of the individual. Should the rights of society cause the rights of the individual to be taken away? I believe Mr Hoyle is absolutely right that they should not be taken away, that the rights of an individual are sacred rights that have to be protected. If we have to do something to find ways of working within those rights, then we should do so, rather than unilaterally, arbitrarily removing those rights through legislation.

This leads to one of the fundamental flaws of Bill 143. Bill 143 is going to take away the safeguards of an individual. It is going to remove the rights that have been built into law previously that protect individuals through the Municipal Act, the Planning Act and the regional acts that pertain to the municipalities of York, Durham, Metro and Halton. These whole areas are all going to be impacted by the changes being proposed by the minister.

All I am asking for is that the minister find some sense of balance. If the government brings in legislation that takes away the rights of an individual or a municipality—and before the law a municipality is treated as an individual—that affects all the people who live within that municipality. Over time, they have come to expect certain guarantees of protection because of the existing law structure in Ontario.

Under this bill, Bill 143, the minister is taking away a number of those rights. What she is saying is that "a regional or metropolitan municipality shall comply with this section" even if to do so would require the contravention of an act referred to in subsection 5 or any regulation or any other agreements that have been made with that municipality.

I cannot believe it. In other words, with one small stroke of the pen, the acts that have been developed over 100 years, the agreements that have been created over a long period of time, are null and void. There is no recourse, because when the majority of this House votes on this bill, it means not only the Planning Act, the Municipal Act and the regional acts that affect all the greater Toronto area, but every one of those acts, as it pertains to a landfill site, can be disregarded.

I find that a very serious step. I have a solution for it. There is another way around this problem, but not to take away the rights of those municipalities and groups. It is not just the few acts I have talked about. I am referring now to

some of the legal considerations that were presented by the Metro legal department. I thank the member for Etobicoke West for sharing some of his thinking with me, and I am sure when he is commenting on this bill, as our critic responsible for the greater Toronto area, he will be touching upon some of the removals of rights coming out because of Bill 143.

I want to comment on six or seven of those acts, in addition to the ones I have already mentioned, where, because of this bill, the power and protection of those acts is removed.

First of all, the Environmental Assessment Act: The proposed extension to Keele Valley is subject to the requirements of the Environmental Assessment Act. While that undertaking is being implemented by the municipality of Metropolitan Toronto, it is being done pursuant to the direction of the minister, as contained in the minister's report. There is no indication in the material which is being served on Metro that an exemption from the Environmental Assessment Act will be given outside the normal policy framework of the Ministry of the Environment.

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The Environmental Assessment Act was established as a way of understanding the relationships between municipalities and the government of Ontario. Now as we come forward with changes to the act and Bill 143, all those previous considerations that had been dealt with over a period of time are null and void.

With regard to municipal approvals, we are dealing with one municipality and there is another battle going on with Mississauga and Peel in this ministry. In the absence of the consent of Vaughan to any amendment of the agreement to allow for the extension of Keele Valley beyond existing final contours, legislation is required for a unilateral amendment to the agreement to provide at least for a hearing before the Ontario Municipal Board on the refusal of Vaughan.

What is happening is that this government has understood the frustration Vaughan has with the proposed changes to expand and build upon the Keele Valley landfill site and that in fact Vaughan is going to do everything it can to make sure there is a full environmental assessment on it. If the government tries to railroad the expansion of Keele Valley without that environmental assessment, then, rightly so, the city of Vaughan is going to do everything it can within its power to cause the government to rethink its position. The only way the government can rethink its position now is to change the law, because it is not able to use reason or common sense or to keep its promises in order for it to happen otherwise.

Under subsection 66(3) of the Municipality of Metropolitan Toronto Act, no land may be acquired in a local municipality without the approval of that municipality. The change in Bill 143 allows anyone to go and act in another municipality without that municipality having anything to say about it. Come on.

As set out below in the list of approvals required in connection with North Avondale, "The consent of the regional municipality of York to the clay will be under the Regional Municipality of York Act." They are saying:

"How are you going to get that clay? If in fact there is trouble getting the clay, this government is going to come along and find a way of doing it."

Now I am in favour of the intent behind the bill. We have to come up with a solution to the problem of having a landfill site that is going to be able to deal with the needs of the greater Toronto area. But maybe what we need to do, and my solution, is that we need to change the Environmental Assessment Act so that we have a speeded-up process by which we can cause all the things being considered to be focused upon in an environmental assessment.

If people are trying to delay and protract the hearing and drag it out over a long period of time, what we should be doing is changing the Environmental Assessment Act. We change that to say that under this new process we are going to get an experienced judge in there and he or she is not going to allow frivolous delays to the whole thing; it is going to go snap, snap, one, two, three, four, and when we are finished, we will have all the facts and the data brought out before something like a court which hears what is being said. Someone is going to have the strength of his convictions to say: "You are wasting time. You are trying to delay it. You have a NIMBY syndrome. You are trying to stop it because it is in your own backyard."

If that is the case, a change to the Environmental Assessment Act will allow us to deal with these issues under existing laws. The government should respect the laws that have been created that we have dwelled under for a long period of time.

Mr Wiseman: On a point of order, Mr Speaker: I do not mean to interrupt, but I am trying to follow the debate section by section as the member is dealing with it. I am trying to ask him what section he is at.

The Acting Speaker (Mr Farnan): The member does not have a point of order. The member for Markham will resume the debate.

Mr Cousens: I appreciate what the member is saying. I think it is difficult to follow me. The point I am trying to make is that there are a number of issues with regard to the section I was referring to in part III of the bill, section 17, where the minister is taking away the rights of municipalities, primarily through section 5 and section 7. In those sections the minister is removing rights under previous acts that have been agreed to in this House previously. My point is that there are a number of examples of that.

Those examples include the ones I have mentioned: the Environmental Assessment Act, some of the municipal acts and the Regional Municipality of York Act. I also point to the Environmental Protection Act. There are a number of sections there where approval is required. Because of this bill, all these sections we are referring to that are part and parcel of previously understood agreements will be null and void and not part of the considerations. That worries me. I am saying the government should not change the law so drastically that those are removed. There are further examples of that which I will touch on.

When passed, this bill will mean there will be no legal recourse for a municipality to say: "Do you have the approvals for a waste disposal site and a waste management

system?"—these are questions under different acts; that one is the EPA, part V—"Have you worked out under the Ontario Water Resources Act the approval for sewage works? Have you worked out under the Aggregate Resources Act for clay extraction? Have you worked out the approval of construction of temporary sediment ponds under the Lakes and Rivers Improvement Act?"

"Has this government worked out its expropriations under the Municipality of Metropolitan Toronto Act and the Municipal Act? Have they taken into consideration the official plan amendment and zoning bylaw amendments under the Planning Act, 1983? Has this government taken into consideration the Regional Municipality of York Act regarding its approvals? Have they taken into consideration the Metropolitan Toronto act regarding the approval of Vaughan under subsection 66(3)?" There are another seven or eight issues that come out of this issue.

What about under the Environmental Protection Act? Where is this government going to be under the EPA, given the continued view of Metro staff and other staff that the clay needed to go into this site is far greater than what is available right now? Where are they going to get it from and how can that be handled?

The OMB approval will be required under section 64 of the Ontario Municipal Board Act. It gets kind of tricky, but what the government is dealing with there are additional approvals that are required under existing acts.

If it means we have to take away all the history of legislation in the province to handle our garbage dumps, that is wrong. We can say "Here is another approach we take; that is, look at an environmental assessment process that speeds it up and yet forces everything to be considered within that." There is no reason we cannot do it that way. The government should not run roughshod over every act, every law and every agreement that has been made. That is exactly what is going to happen with this bill. It is serious business.

By the way, the concern that came out today in the response I had from the Minister of the Environment on this issue had to do with the fact that this is going to affect every municipality in Ontario. We are establishing a precedent here in Ontario for future laws that are going to affect every municipality. If it good enough for the greater Toronto area it is going to be good enough for Sudbury, Sarnia, Cornwall and all the places in between. Whatever we do here has an impact on them and therefore they should have every opportunity possible to come and lay out on the table what their concerns are. The Minister of the Environment should listen, open her ears and consult. She should listen to the other points of view, and through that, try to find some way of working out the details.

The whole issue of this government, having been such a strong proponent for people's rights, now removing so many of those rights touches upon one of the fundamental flaws of the government. What the Premier and his government are prepared to do is put the needs of society ahead of and above the rights of the individual. I believe that is where you get to that difference of view I and the member for Simcoe Centre would have. The members on this side of the House would say that somehow the

government has to work in harmony. The rights of society have to be worked out with consideration of the rights of the individual. You work it out so they are in harmony and balance together; you do not come along and unilaterally dominate the rights of society over the rights of an individual.

1640

If we in this country had property rights in the Constitution, this law would not be allowed. If the minister had her own environmental bill of rights in law now—thank God she does not. Thank goodness this Minister of the Environment did not bring forward her environmental bill of rights. At the beginning of this session of the House, the Liberal member for Halton Centre, when she was the critic for the Environment, put into the record the identical bill of rights the now Minister of the Environment brought out a couple of years ago, so the Liberals are on record that they want to have a strong environmental bill of rights. If we had that environmental bill of rights in law as it was originally presented by the present Minister of the Environment, there is no way this law could be passed.

Again, what we are talking about is working out the balance between an individual's rights and society's rights, and I do not think we should ever lose sight of the fact that this is part of the harmony the government has to work out. You do not just legislate it. It is done through dialogue and discussion, as people say, "This is what I believe, and here are my rights under the existing laws." Then you have a type of court process that protects them from having rights taken away. That is the kind of thing I am calling for.

In fact, I am not in favour of people saying, "Not in my backyard." I do not think there is anything worse than this constant nagging feeling that people have: "Hey, not in my backyard."

I really resented it when the minister responsible for the greater Toronto area and Minister of the Environment, the same person, the member for Etobicoke-Lakeshore, made that accusation to the people of the city of Vaughan last week. She did it in such a slippery way. She said, "I can understand"—I am paraphrasing—"how they would be very upset to have the Keele Valley landfill site in their backyard and I can see why they would be angry."

She should get off it. It is far deeper and bigger an issue than people saying, "It's in my backyard." We are dealing with serious, fundamental philosophical differences. May I suggest that if the government allows the time for other municipalities and businesses to react to it, it is going to have a good discussion.

Maybe one of the reasons the government wants to push this legislation through so quickly is that it will not allow that discussion. There will not be the dialogue, and then suddenly people will wake up on January 1 with the new laws in place, and they are not going to like it. They are going to say, "I didn't have a chance to react to it. That's not fair."

What the government needs to have is a lead time before it brings in new laws. When they bring in a law as far-reaching in effect as Bill 143 is, in removing the rights of previous laws and previous agreements, they are dealing with a change that I consider requires open public dia-

logue. The government should not try to close it down before it is started, and that is what this government is trying to do. They are trying to prevent that dialogue from taking place, and they are going to use all the fear tactics. They will say, "We'll have garbage in the streets, we'll have all kinds of"—come on.

I was told by the government House leader that he would have in my hands, by Thursday afternoon last week a list of the reasons it was important for this bill to be passed within a very short period, before December 20. I do not have it yet. I am going to a caucus meeting tomorrow and I still do not have it.

It is more important that we have a long-term strategy that the province understands and is able to work with, rather than have something shoved down our throat without the full dialogue taking place on it. I refuse to allow my rights and the rights of the people of Ontario to be treated so frivolously. We have to make sure that those people who have concerns about this at least have a chance to react.

There is more I could say on that issue. I close by saying on that particular issue that the needs of society must be balanced with the rights of the individual. This bill does not do that, and that is something that has to be looked at. I am most interested in knowing what all the municipalities of the greater Toronto area have to say about it, I am interested in what other environmental groups have to say about it. I think that dialogue is going to be a very important discussion that will take place within the new year.

One of the concerns in part III of the bill is one of those things that—I have never really accepted the fact that governments should be living beyond their means. There is a certain amount of debenturing that goes on in every municipality and school board, and the problem we have is that more and more we have to try to live within our financial means within a fiscal year so that as councils and the government of Ontario move into the future, we are not borrowing and increasing the debt for future generations and people who come after us. That applies as well to the treatment of waste sites and disposal.

One of the sections in Bill 143 says, "Section 64 of the Ontario Municipal Board Act does not apply in respect of any waste management system or waste disposal site used, maintained, operated, established, altered, improved, enlarged or extended by a municipality in order to comply with this section." That is really saying that any municipality that wants to build up a debt or incurs any spending beyond this fiscal year will be able to have a debt created around the garbage problem within its municipality.

There are precedents for it. There are situations where this province has gone ahead and given municipalities the right to build up a debt on certain issues, but this government should not do it again. They should not continue to allow this idea that you can pay for it tomorrow. We have to find ways of dealing with our expenses fiscally responsibly within our means today and not create the long-term debt problems that, for instance, this province is now having, that the federal government has. Every government in Canada seems to be great at spending money they do not

have in the bank, and that is not something I am in favour of at all.

I am concerned as well that this bill will not require hearings on decisions made by the director or by the minister with regard to landfill sites. The option for an individual to come back and have hearings on whatever it is that is being decided with regard to his municipality or the potential landfill site or the property on which the government is looking is removed.

We have to make sure that when we live in a democracy, we continue to fight for the democratic rights of the property owner and of the public at large and do not take those rights away. I think if we continue this at the rate we are now, there is going to be a rebellion in Canada, because people are increasingly frustrated at government interference into the way they have to do business, the way they have to live, government interference in their property. It just does not seem to end. The fact is that some of it is required, but I truly believe there has to come back that sense—I want to protect the rights of the property owner to know his property is safe from someone else going in on it, and that if he has a concern he has a way of expressing that concern.

That leads me to another of my concerns, the Expropriations Act. This bill builds into it the whole sense that the government, when it wants to take over someone's property for a potential landfill site, first of all can get something like a warrant that allows it to go on that property and do testing. They can evaluate it, and there is no limit to the amount of time they could take to do that assessment of the property, and when they decide they want to buy it, then Bill 143 builds into it the same guidelines that exist now under the Expropriations Act for the province.

I am surprised. Why does the ministry not look at how the Expropriations Act works, and why not bring in a few other considerations outside the Expropriations Act? Under the Expropriations Act, a person who has "injuriously affection" would be someone who is a neighbour to a property that has been expropriated by the government for a landfill site. What happens then is that there are two or three elements that person has to react to.

Section 1 of the act defines "injuriously affection" as "(a) where a statutory authority requires part of the land of an owner, (i) the reduction in market value thereby caused to the remaining land of the owner...." So there is an aspect where the rest of the land around the expropriated land is reduced in value. Another aspect is "(ii) such personal and business damages, resulting from the construction or use, or both, of the works as the statutory authority would be liable for if the construction or use were not under the authority of the statute."

1650

Mr Callahan: It's like local improvement.

Mr Cousens: It is like local improvement, yes. Here is where we get into it: You have now taken over someone's property and a neighbour is saying, "I have a problem with what has happened there." I have deliberately dug out the Expropriations Act so that we can just put it into the record, and this is one of the amendments I want

the government to consider, at least as a way to circumvent the problem.

Section 22 of the act says that the claim for compensation for injurious affection is limited to only one year: "Subject to subsection (2), a claim for compensation for injurious affection shall be made by the person suffering the damage or loss in writing with particulars of the claim within one year after the damage was sustained."

How are you going to know if a landfill site on a neighbouring property is going to cause a plume or the effect it is going to have on your property? You are going to come along and have a quick reaction and say, "I'm going to get dust, I'm going to get smell, I'm going to have other problems," but some of the other effects of a landfill site next door to you may not be known immediately, may not be known within a year. Yet the law as we have it within Bill 143 would limit anyone who is going to be claiming for injurious affection to only one year to claim that.

That is not enough, not when we are dealing with the kind of long-term implications of such environmental acts as the creation of a landfill site within a community. That is another section within part III of the bill that needs to be addressed. Hopefully, the government will accept some amendments that will allow us to get around that issue.

I have problems with the minister's concept of trying to enlarge two of the largest landfill sites in the province: Keele Valley and Britannia. I read a paper on it over the weekend. I was able to do some further studying on it. It has to do with the weight of the landfill on the clay layer underneath it.

Several things happen. There is a four-foot layer of clay under the Keele Valley landfill site. That four-foot layer of clay acts as a blanket to protect against leachate coming through and getting into the ground water underneath. At the Keele Valley landfill site 50% of that clay layer is already penetrated by leachate. We have another two feet to go. I do not know whether the leachate will go through at that point. Maybe the clay becomes such a hardened substance that it is not going to go through. This is something I want to have subjected to a thorough environmental assessment.

The waters underneath the Keele Valley landfill site are really the eastern branch of the Don River. The Don River headwaters are on the same parcel of land. The Don Valley headwaters are on the same parcel of land as the Keele Valley landfill site. If there is a problem with that clay layer being impacted negatively because of the increased size of the landfill—the specifications of the landfill site were for a certain size. If you are going to add 30% or 50% more gross volume to it, as that pushes down on the clay barrier underneath, does that in fact cause more seepage to go through into the headwaters of the Don River?

I do not know the answer to that question and I do not pretend to know the answer, but it is the kind of question that is fundamental to the understanding of the long-term impact of an expansion of the Keele Valley landfill site. If we are going to pollute the headwaters of the Don River right at their origin, we are never going to clean up the Don. We are never going to be in a position where we can

fish and eat the fish we catch in it or swim and do other things in that river.

We have succeeded in having all governments face up to the Rouge River system and we are now in a position where something beautiful is going to happen there: We are going to keep it. It is going to live. It is going to be a living ecological system. Why can we not begin to have the same sense of purpose for the Don River? Here we are with the Keele Valley landfill site right at the headwaters of the eastern branch of the Don River. If there is anything we can do to guarantee the long-term life of that river, to make sure clean, wholesome, good water is coming into it, without the seepage that is going to possibly come from Keele Valley, then we should look at that. That should be looked at through a full environmental assessment, not through the short-circuited route this government is suggesting.

We are talking about something that touches upon everybody in the greater Toronto area. What we are really seeing is when we start to have some of the heavy metals, gases and toxins escape from this leachate system, and we are talking about how we deal with that. The leachate alone is not dealt with well. The leachate is all the juices and gases that come out of the garbage that is compressed. It is now pumped up and then put through the water system in the greater Toronto area. The water purification system is not made to deal with the kinds of heavy metals and the substances coming out of that leachate.

We are going to have far more leachate coming out of these expanded dump sites. How are we dealing with that as well? A second question comes out of the expansion of these two sites, and that is how we are dealing with the leachate that is pumped out and taken for purification and the leachate that could possibly go through the existing clay layer and end up going into the headwaters of these systems.

There are a few other considerations I have with regard to this bill. They have to do with part IV of the bill. Part IV of the bill touches on a number of issues.

Mr McLean: It's a major part.

Mr Cousens: My friend the member for Simcoe East is right. It is a major part. It has a lot to do with these regulatory guidelines that the minister dropped on us on October 9. The minister has let these out for public comment. They have a lot of impact on what industry is all about.

I think every one of us has to be pleased with the intent the Minister of the Environment has, because if we do not begin to do something about packaging guidelines and reducing the amount of packaging, and therefore the amount of waste, right at the source, we will never conquer the problem. She is really trying to do a number of things through her regulatory measures.

She is also following through and asking for a number of methods by which she will be able to do audits. Each company will be required to have an audit on its own waste systems and those audits will be subject to scrutiny by the province. I think that is a good idea, because through that process some companies are going to be able

to quickly say: "I've got it. I know what I should be doing differently." They will come up with their own recommendations. Just that study itself will be helpful for them in reducing the amount of primary sources they put into their products and the amount of garbage they generate, the amount of waste that is being thrown out and not reused. There is a concept here that is good. Let's not take that away.

As I look at part IV of the bill, the minister is looking for targets for larger municipalities to implement recycling and composting programs. I think that is good. She is requiring businesses and institutions to recycle and conduct annual waste audits and prepare waste reduction plans. I think that is going to be good too.

I think there is going to be a pile of money to be made in this whole garbage business. As one chap was saying to me, kiddingly, over the weekend, there are really three things that are guaranteed to raise money: drugs, prostitution and garbage. The whole business of garbage is really one of those things that generates an awful lot of cash for people involved in it. That is smart. The people who are saving on the amount of things they are producing by cutting back and reusing certain things are able to conserve in a way that gives them a bigger profit.

I like what the minister is trying to do in requiring municipalities to establish reasonable fees for disposing of trash at dumps. I do not know what "reasonable" is any more. Why is it a third of the cost to ship it down to Indianapolis, where the tippage fees are that much less than they are in the greater Toronto area? What we have to do is keep trying to find ways in which it is cheaper. People will go where the market will allow them to take it, so the fact that municipalities will have reasonable fees for their tippage—they could have it already, but they are really saying, "Look, let's do it further."

1700

Then one of the things the minister does is have new regulations on packaging, containers and disposable packages. What I really want to touch on here is the question of Ontario's competitiveness. How do we deal with it? Are we in a position where we want to be different from the rest of Canada? If a company has a nationwide product, is it going to be in a position soon where Ontario's regulations and guidelines are so different from any other jurisdiction that in fact it has to have one set of packaging standards for Ontario and another packaging standard for other parts of Canada?

If the rest of Canada is that slow, I would say Ontario should lead the way. But if in fact Ontario can work with the other jurisdictions and develop a consensus of approach within this federation, then we will have gone a step in the right direction and we are working together. If Ontario is able to develop packaging guidelines that are not rammed through so quickly without discussion and dialogue, that too would be good. If Ontario is able to work with industry and say, "Look, it's going to take you two years to get rid of your existing inventories. It's going to take you a certain lead time in order to retool and manufacture and set things up differently. We'll work with you on that," that is what I call dialogue and consultation.

The fear I have is that the kind of dialogue we have from this government to industry is a one-way dialogue. It is not saying, "Here's what we're thinking," and giving them a chance to feed back how in fact they can implement these guidelines. This government does not seem to work that way. The minister already has tremendous power. When we give this government more powers, such as it has in this bill, then it can misuse it.

If I had a sense of confidence that the Minister of the Environment and the Premier were listening and working with industry, then I would have a sense that we are going the right way. What we have instead are the words of a government that says, "We want to do more," but the actual implementation is enough to turn people off and send them to Belleville or Buffalo, which is the question I raised in the House this afternoon.

Mr McLean: Or Beamsville.

Mr Cousens: Or Beamsville. Anywhere other than the greater Toronto area. It is becoming uncompetitive for business to stay in the greater Toronto area. It is becoming uncompetitive to stay in Ontario. What we have to look at is how we can, in developing environmental policies, develop strategies that will allow Ontario not only to maintain the leading edge as an environmental conservator society—we want to do that; I believe in that and I know our caucus believes in it—but somehow members opposite should work it through so they are not in opposition to the needs of industry to survive this economic situation we are in and they help industry to work into it so there is an implementation program that does not set it back further, that does not discourage business from coming into Ontario.

Anything we do in any area of this government has a ripple effect through all the other areas of what it takes to make our society strong. We must be able to develop policies and strategies that respect the needs of a conservator society; make a leading effort but do it harmoniously without setting Ontario back, understanding that we are into one of the worst recessions we have had in years. Therefore in order to work that through, is it not as important to look at making sure we keep jobs in Ontario? Is it not making sure we keep the economy strong and at the same time understand that we have an environmental agenda? Can the two not work together? I believe they can, but I believe what will happen is that this Ministry of the Environment, like the Ministry of Labour, disregards the needs of industry to try to work it through.

There have been classic examples where Ontario's industries have led the way. I do not think enough time is given to complimenting the leadership of Falconbridge and Inco for the way they have fought to reduce acid rain, sulphur dioxide emissions. They have tried and they have accomplished great things. Industries out there, as I talk to them, continue to be anxious to participate in making Ontario's a strong environmental voice. Yet let's make sure we do that at the same time as they remain competitive for their US customers. Let's make sure they are competitive as well with the rest of the provinces within Canada so that anything we do within the environmental agenda is done in

harmony with considering the economic consequences of it.

Let there be an economic statement that comes out and says, "This is what it's going to cost; this is what it's going to do." That does not take away the urgency of doing something about packaging. It does not take away the urgency of reducing the amount of garbage we are creating. We know that, but let's ramp up to it in a way that allows us to deal with it honestly and effectively and in a sound economic way. Do not cause us as Canadians to lose all our competitive edge. We could have the cleanest environment in the world and no business going on here. How then do we justify it all? That is part of the harmony I am calling for. I know some of these New Democrats disagree with that, but they cannot forget business. It has to be out there. They have to strengthen it. The government cannot come along and attack it all the time—and that is the government's view. The members opposite think they are just going to come along and beat business up all the time. I do not agree with that. They should work with business. The government should allow business to do something together with it.

Mrs Mathysen: This is utter, complete nonsense. You are making this up as you go along.

Mr Cousens: The members say I make complete nonsense. I have to tell them, all they have to do is work with business. They should not just come along and shove this kind of thing down their throats all the time through regulation. They just come along and make a change, and all they do is force it on them. They should listen to them, talk to them, work with them.

The government cannot just be arbitrary in everything. In some things it has to be, but when it is dealing with environmental law, let's make sure the world we are working within in Ontario buys into it. We educate them on the need for it.

I believe in environmental principles. I believe in the fundamental principles being presented by the Minister of the Environment. I agree with the kind of statements she is making on becoming a conservator society. I disagree wholeheartedly with the implementation program she is launching in this province with this Bill 143. I disagree with it and I believe that other people too, when they see the bill, if they are given enough time to look at it, will express deep concerns about what this bill is doing.

Mr McLean: They should read it.

Mr Cousens: The honourable member for Simcoe East says they should read it. The problem is the bill was tabled in late October. We are into debate now and the minister wants to have it passed by the time we rise on December 20.

I have grave concerns that the issues being raised in this bill really have to be addressed beyond what members say in this House and what members of the Legislature say in committee. We have to invite municipalities, AMO, environmental groups, people who are in industry who are going to be impacted by the regulations and changes that she is proposing, to have a chance to comment on it.

If we listen to them, we could well come up with some changes to the bill that will accomplish our mutual objective, which is a safer, cleaner environment, and yet find ways in which we have been able to develop a consensus. The consensus only exists now with the New Democrats. They have a consensus within their caucus, and if they have their way, Bill 143 will be passed and the debate will be over, and then the anguish begins. My feeling is that we should not allow that to happen without there being ample opportunity for all those who have concerns about this bill to have had expression on it.

1710

The solution lies in not taking away the rights of municipalities, not taking away the rights of individuals. It calls for some different approach to it. Let there be an environmental process through an Environmental Assessment Act that is revised that will speed up the process. Then, within a given period of time, we will have completed the assessment and analysis of all the ramifications of what this bill is calling for.

You could subject the minister's view about no incineration to it. You could subject the minister's view about no shipment of waste from Metro Toronto to Kirkland Lake to it. You could subject the whole issue of Keele Valley expansion and Britannia expansion to it. You could subject the whole issue of a site within the greater Toronto area and each of the municipalities to dispose of its own garbage to it. You could subject a lot of our thinking. If any of us has those ideas that are seen as irresponsible and not with it, then you are at least saying, "There's the court that's going to deal with it." They will have the data and information and research to allow that group to develop a statement that is going to mean something.

Mr Speaker, if you cannot tell, I am very concerned about what Bill 143 is going to do to the rights of individuals and municipalities. I know this bill is going to pass; I know the New Democrats have the numbers to force this through the House. But I believe it has to be subjected to public dialogue and scrutiny. At that point at least the minister might understand just how strongly people feel on it. If we do not give them the opportunity, they will not have a chance to express that view. I believe this is part of the democratic right.

This minister has been in hiding. She has made very few statements in the House; she makes more of them out of the House. This is the first piece of legislation that the minister for the greater Toronto area, who is also Minister of the Environment, has brought forward since she took office on October 1 last year. It is a significant piece of legislation and is worthy of extensive dialogue. I am calling on the government for that. I called on it for an extension to the debate on it today in question period. I did not get an answer then and I will continue to ask that question.

I think I can close my presentation today. I challenge the Minister of the Environment to a public debate on Bill 143, in which she and the Liberal critic and I will have a public hearing to discuss this so there is a chance for the public at large to begin to understand something of this bill. I think that is one of the things we could well do on it. I hereby challenge the Minister of the Environment to a

public debate—her time and her place—so we can have the public there. She can make her presentation, the honourable Liberal member can make his statement and I will make mine, and then we can have some dialogue from the floor.

That can be one of things that can persuade the minister to know whether or not there is a groundswell of concern over what Bill 143 is all about. I believe that such a public debate would be an excellent way in which we might begin to put the issues on the table. What members have heard through this presentation is one person, the MPP for Markham, talking about environmental issues, but I know there are many others who have many other thoughts on it.

Rather than having it railroaded through, this would give us a real opportunity for a discussion on it. Who knows? That public debate might well be enough to persuade the minister to understand that there are concerns out there about this bill, and it is not just myself and our PC caucus that are talking.

There is much more to be said on this bill. It is going to be debated in the House this week, tomorrow and on Thursday as well. I know there are many others who wish to participate, so I will close off for now.

Mr McLean: I want to comment briefly on my colleague's remarks with regard to Bill 143. He lays it out very well. He missed a few bases, but touched most pretty well.

There are major concerns in this bill. We look at the environmental assessments for the sites, which will not be required to contain discussions of any alternatives to the landfill sites—that is in part II—and we look at part III, which my colleague touched on, that a certificate of approval for a waste management system or waste disposal site may be issued or amended without requiring the Environmental Assessment Board to hold a hearing. I cannot believe what I am hearing and seeing in this bill from the very minister whom I remember standing in this Legislature and talking about full environmental assessment hearings.

We look at the amendments to the Environmental Protection Act, the very area of concern that could affect the whole of this province, not only the GTA, and we look at some of the definitions and the amendment in section 24 that the explanatory note says "would effectively broaden the regulation-making power by changing 'other wastes' to 'other materials.' The definition of 'waste disposal site' and 'waste management system' would also be broadened."

Section 33 is a major one. It is near the end. The explanatory note says the "amendment would broaden the scope for making regulations in relation to waste management systems and disposal sites." What we are doing here is giving the minister total power, through regulation, and also through the other act she has, through the Lieutenant Governor in Council, to change and make powers. It is totally unacceptable. That is why we really object to this bill. It gives those people the total power they want.

Hon Ms Churley: I want to comment briefly on one aspect of the member for Markham's comments, particularly

on incineration and his comment that the minister should be including that in her environmental assessment.

I would like to point out that there have been lots of studies on incineration done worldwide by now and there is no lack of information on what incineration does. Until we get to a point where we are separating garbage properly we should not even consider it. Members know that the very act of combustion in burning garbage causes the creation of furans, dioxins, mercury, lead and other kinds of poisons that affect people, and it goes up in the air and spews for miles all around.

Members also should know that these incinerators are very expensive. Garbage as a fuel is a very low-grade, terrible fuel and you have to maintain these fires at a very high temperature at all times, which then creates competition among the other 3Rs. The garbage is needed to burn in the incinerator, which is a problem for our society when we are trying to move to (a) neighbourhoods or at least districts taking care of their own garbage, and (b) a more responsible 3R society. When we set up that kind of competition for the garbage, we have a problem.

I have outlined just very briefly in these few minutes some of the problems associated with the burning of garbage. If you include that at this time in the options to look at in environmental assessment, it is a very complicated engineering solution to a problem that at this point in time we have to take on as communities, and we have to take on in a responsible way of dealing with our garbage and not creating it in the first place.

Mrs Caplan: The member for Riverdale has provoked me to respond to some of the statements she has made, which I believe are quite irresponsible.

She mentioned worldwide studies. I would suggest to her that the results of those worldwide studies on the production of energy from waste suggest that if we are looking for an environmentally safe approach rather than putting a dump in the middle of the most heavily populated part of this province, she should look at the results of the worldwide study—

The Deputy Speaker: Your comments should be on the member for Markham's speech.

Mrs Caplan: I am referring to what the member for Markham has said and the response from the member for Riverdale, who I believe does not have all the facts.

Mr White: On a point of order, Mr Speaker: The member should be addressing herself to the member for Markham's remarks.

Mrs Caplan: I would like to, in my response during this two minutes refer to the comments of the member for Markham and the response to his remarks from the member for Willowdale, because they are important. The statement was made that neighbourhoods have to take care of their own garbage. That is the kind of ideology and rhetoric which entering into this debate is less than helpful and is not responsible.

I think there is a lot of information which is complicated by the kind of rhetoric we have heard in this House. Hopefully all members will want to see the very best information on energy from waste, which is often referred to as

incineration, on the kinds of impacts we have when dumps are placed in highly urbanized areas, and that we will all share our commitment to protection of the environment through the gathering of and the sharing of valuable and important information. It is not helpful to the debate to hear the kind of rhetoric and ideology which has been expressed from the government side of the House.

1720

Mrs Marland: This debate is really about whether the public and the municipal councils which are elected to represent the concerns and views and opinions of the public will have input. One of the things the member for Markham has been asking for is that we allow that process to take place with this very significant piece of legislation. With these comments on the member for Markham's speech, we are getting off into areas that are non-issues.

I too have an opinion on incineration; I have a very strong opinion on incineration. The issue we are dealing with today is whether this bill should proceed in its present form or whether we should have it referred to committee and have the public have its chance for input.

This legislation is setting aside the rights of the people of this province. It is totally ignoring the concerns of municipalities in this province, including my own.

In the region of Peel, interestingly enough, I say to the members opposite, we already have an incinerator which has been approved and is under construction, and it went through the environmental assessment hearing. I am not in favour of the incineration of municipal solid waste. I stood in this House and supported the Minister of the Environment in her statement of prohibition on incineration of municipal solid waste, but that is not the issue we are dealing with today. We are dealing with Bill 143 and the fact that it ignores the rights of the people of this province to have some comment on a bill that takes away all the acts that exist today to protect them.

Mr Cousens: I thank the member for Mississauga South and the member for Oriole. The kind of insight they have to protect their constituents and the rights of people, which the member for Oriole was also referring to, is fundamental to what it is all about.

A friend of mine who was out in Saskatoon has a sister who looks after hospital admissions, and 25% of the people who come into hospital admissions give their religion as NDP. I raise that because sometimes, if you have something that is like a belief system, you will present it as your view without having any kind of validation using reasoned background or understanding of rights. The problem with the New Democrats is that they operate under a set of religious-type principles and belief systems rather than something that is sound and based on a scientific background and that has a little more meat. They have a philosophical belief system that does not take into consideration the balance we need in society. That was really manifested in the statements by the member for Riverdale.

I cannot believe that members of the government do not have a bigger and broader understanding of the balance that is needed to make this a society that works. They will have their beliefs, but they are not based on anything other

than some kind of doctrinaire system. They are not willing to expose it to an environmental assessment. They are not willing to expose it to some thought processes. The challenge stands. I challenge the Minister of the Environment to a public debate on Bill 143, and I invite the Liberal member for Brampton North to share in that, so we can get remove from it some of the mystique and some of the mystery that government members have and deal with the issues.

The issues are hard and they are real and they have to do with rights—the rights of the individual and the right of a person who is elected to office at a municipality to represent his or her people. Those rights are being taken away by this bill.

Mr Duignan: I am very pleased to rise and speak in support of Bill 143. I believe Bill 143 brings profound changes to waste management strategies, which are very evident in the bill and which are so badly needed in this province. It is the longsightedness of this strategy that I hope will change the attitudes of people in our society, which will help to ensure that our future generations will have a healthy environment in which to live.

Bill 143 is not just about the setting of or looking for long-term sites, or indeed dealing with the gap. It is also about the 3Rs: reduction, reuse and recycling. More important, Bill 143 is about the changing of attitudes and values in our society. When you think about it, Ontario produces somewhere between 10 million and 14 million tons of solid waste each year. We consume more energy and generate more garbage per capita than any other nation on earth. Clearly, this must be changed.

Interjections.

The Deputy Speaker: Order, please. I would ask the two members, if you want to have a discussion, to hold it outside. Thank you.

Mr Duignan: As a society, we have traditionally considered our used products as waste, when in fact they are valuable resources. This attitude is what has created the waste capacity crisis in most of the GTA. We must start changing people's attitude so they view these products not as waste or articles to be thrown away, but as waste resources that have value in being used again. Not only can we help prolong the depreciation of our natural resources here in Ontario, we can also begin to solve of the waste capacity crisis in this province.

We find ourselves in a situation where landfill sites are reaching capacity and no new sites have been found in some of the greater Toronto area. I want to speak in particular to my region, the region of Halton which, interestingly enough, has been excluded from the Interim Waste Authority's search for a new dump site in the greater Toronto area and which has also been excluded from the first three parts of this particular bill. Halton region started to look for a site way back in 1976 because it knew the existing site at that time had about a 10-year capacity left. This is now 1991. This dump is not prepared to be open until November, 1992. It took 16 years to go through the process, and the cost and the anguish the taxpayers of

Halton have gone through should not be repeated in any other area of the GTA.

Also, when we look at some of the cost summaries the Halton region had to go through in setting up a new dump, the Environmental Protection Act studies prior to 1980 cost \$1 million. The EA studies and the EPA studies after 1980 added another \$3.1 million to that cost, and the hearings alone were \$3 million. I understand that the joint board hearings themselves did not conclude—

Mrs Marland: On a point of order, Mr Speaker: I think more people might be interested in hearing the member for Halton North, and I do not see a quorum present in the House at this time.

The Deputy Speaker: I will ask the table.

Clerk Assistant and Clerk of Journals: A quorum is present, Mr Speaker.

The Deputy Speaker: A quorum is present.

Mr Duignan: It is interesting that the joint board hearings began on May 5, 1987, and concluded, after 194 days of evidence and arguments, on November 8, 1988. That was one long and costly process to the people of Halton. The estimated cost of the dump at the end of March 1991, to this point, is about \$127 million. I understand that cost is to rise to about \$150 million before the process ends.

Also, Halton region has a very aggressive 3Rs program. It is one of the leaders in the GTA. It reuses, recycles and reduces some 23% to 25% of the solid waste now produced in the region.

1730

We do not want to see the costly process, as I indicated, repeating itself for the rest of the GTA. I believe Bill 143 will cut down on both the cost and the length of time it takes to bring a landfill site on stream. I believe the Minister of the Environment is to be commended for her heroic efforts to improve that process.

We know the situation has reached a crisis point in Ontario. I believe the time is now to implement strong and decisive measures to ensure that the wasteful habits of our past are changed so we can no longer continue to waste our valuable resources. I believe Bill 143 represents those strong and decisive measures. It also provides the legal framework to implement the waste management strategy our government has been developing over the last year. This strategy represents the decisive measures needed to turn the situation around.

In her first speech as the Minister of the Environment, the minister reiterated our government's commitment to obtaining the objective of 25% diversion of waste from disposal by 1992 and 50% by the year 2000. This is a clear commitment to make waste reduction the main priority in the government's waste management strategy.

This commitment was followed by a statement in the Legislature on November 21 of last year in which the minister announced the new direction of the province's environmental policy, which would be to change Ontario's consumer way of life into a conserver society. The minister also announced on February 21 of this year a waste reduction action plan to accelerate waste reduction in the province so

that the committed waste diversion targets could be obtained. This plan is the cornerstone of a new conserver society.

This action plan has four important parts: (1) the implementation of a strong regulatory measure to reduce at the source the flow of valuable resources which now end up in landfill sites, (2) the development of the financial and technical systems needed to divert these materials from landfill sites to productive use and reuse, (3) the encouragement of healthy markets for materials recovered through source separation programs, and (4) the development of public education programs that will provide all the people in Ontario with the information they need. This is to be done through the provincial waste reduction office, whose mandate is to develop and implement new and effective policies, programs, laws and regulations to promote 3Rs activities throughout Ontario.

The minister has also made it clear that the responsibility for waste must be accepted by the communities generating the waste. We can no longer afford to find a hole or a mine somewhere in the province and ship it out of sight, out of mind, because this would be contrary to conserver values that are the foundation of our government's waste management strategies. If we produce the waste, we must be prepared to deal with it in our own backyards.

The facilities for disposal of waste should be located as close as possible to the source of waste generation. I know my friend and colleague the member for Markham has some good ideas when he talks about recovery of material from waste, and I would invite him to my riding. I issue him a challenge to come to my riding and look at one of the initiatives happening in my riding, a pilot project funded in part by the federal government's environmental partners fund and also by the Ministry of the Environment and the provincial Environmental Youth Corps, which pays for some of the staffing in this particular project. It is called Waste Wise, and it is a course beyond the blue box.

What happens here is that anything goes to this particular depot: used clothing, books, furniture, sporting goods, toys, games, carpeting, office supplies, housewares—everything that can be reused. They also take in broken small appliances such as lawnmowers, snowblowers, tools, sewing machines and toasters. A group of volunteers come in and fix those particular appliances. They also take all suitable textiles, scrap metal, paper, plastics, wood, etc. The proceeds from these resales go to educating the people in the community about how we can reuse and recycle. It is a pilot project, and I have some information if any members are interested in it. I think it is a worthwhile project that can be implemented in any community.

The member for Markham also spoke about incineration. As the member for Mississauga South is totally opposed to incineration, so am I, because I have studied a lot of information and have seen nothing to this point which would lead me to support incineration. That is not to say that some time down the road we may not have technology that would deal with some of the problems that come with incineration.

One method of handling municipal solid wastes, as indicated, and one which is inconsistent with the 3Rs, is

incineration. This is because it relies on a steady, large quantity of mixed waste to keep incinerators running. The result is an inflexible system that provides little opportunity for waste reduction programs to be implemented.

On April 2, a ban on all future municipal solid waste incinerators in Ontario was announced by the minister, with a review of the ones currently in operation. Once an incinerator is up and running, it requires a large quantity of mixed waste. The waste that is the most efficient fuel for the incinerator is also the waste that is most easily separated for diversion into recycling programs. This includes paper, plastics, etc.

The environmental problems associated with the incineration of municipal solid waste are well documented. Indeed, there is quite an amount of information on them. The combustion of this waste during incineration releases a wide range of air pollutants, including dioxins, furans, carbon dioxide and heavy metals such as mercury, lead and cadmium. Moreover, between one quarter and one third, by weight, of the original material entering an incinerator remains as bottom ash and fly ash. This ash must be disposed of in landfill sites. The fly ash is considered a hazardous waste and must be landfilled in special sites.

I believe our government's historic ban on the incineration of municipal solid waste makes Ontario the first major jurisdiction in North America to do so. The minister has also announced strong measures to deal with the waste crisis in the greater Toronto area. The three-part strategy includes initiatives to accelerate 3R activities in the GTA, find three long-term landfill sites and deal with the shortfall of land capacity until the three long-term sites are open. This has involved extending the lives of the two existing landfill sites in the GTA.

In October the minister announced the first in a series of waste reduction initiatives that will lay the foundation for achieving the provincial waste reduction objectives. These draft regulations will be phased in starting in mid-1992 and will make waste reduction mandatory for Ontario businesses, industries, institutions and municipalities.

The proposed regulations would include having larger municipalities implement recycling and leaf and yard material composting programs, and certain industrial, commercial and institutional sectors recycling materials, conducting annual waste audits and preparing waste reduction plans.

I believe Bill 142 and Bill 143 will give the legislative framework for the minister to implement these regulations. The proposed amendments to the Environmental Protection Act in Bill 143 allow for the acceleration of the 3R program of our government. The measures undertaken by our government since coming into office clearly outline a logical waste management strategy. Bill 143 is just one part in the overall strategy dealing with waste management. It also provides the legislative framework for an Interim Waste Authority to carry on its research for long-term sites in the GTA. It ensures the health and wellbeing of the people within the GTA by ensuring that there will be a landfill capacity, and it promotes the 3R program to ensure that our waste diversion goals are met.

I believe Bill 143 is needed to manage and to solve the immediate waste crisis. It is also needed to change our wasteful ways, and it is needed so we can never find ourselves in a waste crisis like this again. We need Bill 143 to ensure that we leave our environment in a safe and sound state for future generations to come.

Mrs Marland: One thing the speaker has omitted to comment on is why it has taken his government one whole year to bring this legislation before us. His government has been in office in fact for more than one year, almost 14 months, but given the date this legislation was tabled, I simply will deal with the void of one whole year.

At the time the Minister of the Environment was the opposition critic for the Environment, I was the opposition critic for my party. She shared my concern about the risk of waiting any longer to find a solution for the garbage crisis. Here we are one year later and the garbage crisis is in such a crunch that this socialist government is not even willing to go to the public and go through the public process because there is no time. Suddenly it is an emergency.

1740

We knew it was an emergency a year ago. The member for Halton North says we should be prepared to deal with it in our own backyards. I want to tell him that in the region of Peel we were dealing with it in our own backyard. We had a site selected. We were going to the environmental assessment hearing until the Liberal government put a halt on that particular site and that particular hearing. We were actually down the road to solving our own garbage crisis in Peel. But here we are a year later and we have a government that will not listen to the public and that ignores the Planning Act and the Municipal Act which are in place to protect the public.

Mr Sutherland: I want to compliment the member for Halton North on his comments and pay a little more attention to the Waste Wise system he mentioned that has been set up in Halton North. I know many people in my area and particularly those people associated with the environmental group Earthroots Coalition who have been down to tour the Waste Wise centre in the member's riding have been very impressed by the setup there.

Also, most recently when Earthroots sponsored an environmental conference in my riding, Dr Paul Connett, who I believe the member for Markham referred to in his speech, had also been up to visit Waste Wise and was very complimentary about what it is doing there. He was complimentary not only of the environmental impact but also the social impact in terms of how they have many retired people who come in. For example, people bring old bicycles or old radios in and these people who have some skills in electronics or in repair work come in and fix these bicycles or radios and make them reusable again.

I think all of us as members should try to find some time to visit the member's riding to see how this is set up and to see whether we can encourage our local groups and local organizations to take a leadership role as they have done in the member's riding and see if we cannot get that set up in our own ridings.

I compliment the member and the people in his riding who showed the initiative and leadership on the environmental issue and who have a true understanding of how we are really going to solve our environmental problems, and particularly garbage problems, through the 3Rs by not only recycling but reducing and, more important, reusing whatever resources we can.

Mr McClelland: I would like to make a couple of comments about the speech rendered by the member for Halton North. I think it is interesting that the member raises on one hand Bill 143 as a means by which the province can get moving towards the waste reduction targets that are not only wanted but indeed essential, as the member has said, and at the same time he brings forth an example from within his own riding where there has been tremendous progress made.

I simply suggest to him that in so doing he raises the very plain truth of the matter that Bill 143 is not a requirement to proceed with the waste management initiatives that ought to be undertaken in this province and that it is a very thin disguise in terms of its very agenda, which is to empower within the ministry the right to place sites and to provide orders without any recourse to the general public.

The member for Halton North stood in his place in this House and asked the Minister of the Environment if she would overrule an order that was rendered from a board that was seized of a matter with respect to the siting of a waste management operation within his own riding. The minister in response said it will lie with the people who have seen the material put before them, the duly constituted board, and their decision will be made on the information that was presented, having regard to due process.

This is the member who wanted to stand on behalf of his riding, where the people quite frankly were saying, "We don't want it in our area and will the minister overrule?" The minister said: "I will not. I will adhere to and follow the recommendations of the board." What does Bill 143 do? It says effectively there will not even be a board hearing and that any matters in terms of waste management will not come before a board for public scrutiny. That is one of the great ironies of the bill before us.

Mr O'Connor: I want to comment with regard to the member for Halton North. I think he raised a number of really important issues, one of them being the fact we have to change the way we live and become a conserver society.

The member for Markham mentioned earlier the fact that we talk about rights. Let's talk about the rights of children of the future. Recycling is not about to happen unless we have some changes to packaging. That is something we have to look at.

The member also mentioned the April 2 ban on incineration. He is right when we consider that incineration flies right in the face of the 3Rs. The fuel that people are using to fuel incineration is a resource that should be used and recycled right away. It is not something we should be trying to bury in a hole someplace. We should be trying to use it.

He mentioned the fact that Halton underwent a long process in developing a landfill site. This is something that

needs to be recognized; they did that. This bill addresses the fact that Durham, Peel, Toronto and York have to deal with their situations. Halton has had to deal with its own. That is something the member talked about. Something like this does not happen overnight. There is quite a bit of work that goes into it in advance and in preparation.

In his comments the member remarked on a lot of initiatives the minister has taken to get this far. We are a way from it yet and hopefully we can proceed so we can find some landfill sites long before we get to a gap situation. We had better continue to work on it diligently. I think the member has spoken quite highly of the merits of this legislation and of the recycling programs within his community.

Mr Duignan: I appreciate the kind remarks of my colleagues and indeed of all members in the House. In particular I reference the member for Brampton North. The minister has made it very clear that the Halton region is not subject to a new landfill site, and if we look at Bill 143, it excludes the Halton region from that particular process. That is excluding the Acton dump, which is indeed another issue altogether.

However, Bill 143 deals in an area in particular; that is, the crisis proportions of waste management that exist in the greater Toronto area. I believe this bill represents a decisive step towards resolving that situation. Bill 143 also deals with the amendment to the Environmental Protection Act to facilitate intensified acceleration of the 3R activities in the greater Toronto area as well as the province as a whole, because we have to get serious about recycling, reusing and reducing. If we do not, we will continue to have this crisis year after year, decade after decade, until we get serious about what we are doing with our waste.

1750

Mrs Caplan: I am pleased to rise and participate in the second reading debate on Bill 143. I point out that the time today is very short and on behalf of my constituents in the riding of Oriole I have quite a lot to say about this important piece of legislation.

The first thing I would like to say is that many of the goals, many of the objectives, much of the rhetoric we have heard from the Minister of the Environment, is shared by my constituents. Certainly we all want to protect the environment for future generations. Certainly we want to see the kind of regulations brought into place that will make sure that everyone in our society does what he or she can to become aware of what he can do.

My constituents in the riding of Oriole and the residents of North York were among the very first to participate in recycling depots. I remember when I was a member of North York council the activities of the committee on the environment, headed up very ably by Mrs Ruth Johnson for many years, was a model for other communities across this province. Recycling depots were established in the city of North York, and we were very excited about the awareness people in the city of North York had. We were one of the first to implement the blue box program.

It has been extremely successful. I noticed a news release just this week from Ontario Multi-Material Recycling Inc, the association for recycling, and it has pointed out how successful that blue box program has been right across the province. It is one of the things I am particularly proud of as a member of the former government, that the efforts of the member for St Catharines won worldwide recognition when the United Nations saw fit to award his efforts and our efforts as a government to implement the blue box program.

When we talk about the environment, when we talk about our commitment to a better future for our children for the kind of environmental protections, I do not think there is any member of this Legislature who would disagree with those goals, with those objectives and with those important principles of each of us doing what we can to protect the environment for future generations.

Having said that, I want to point out to all members of this House that Bill 143, An Act respecting the Management of Waste in the Greater Toronto Area and to amend the Environmental Protection Act, is not being carried by the member for Etobicoke-Lakeshore as Minister of the Environment but is being carried by the member for Etobicoke-Lakeshore as the minister responsible for the greater Toronto area. I believe the reason she is not carrying this bill as Minister of the Environment is that any Minister of the Environment in the province of Ontario, in fact any Minister of the Environment in this country, would be embarrassed to table a piece of legislation such as Bill 143, which disregards the rights of individuals to participate in a process which overrides every piece of environmental legislation that has been tabled in this province.

Some people have said this is the first piece of environmental legislation the new minister has tabled. In fact, the Minister of the Environment has not tabled a piece of legislation in this House. In more than a year in office, we have seen nothing from the Minister of the Environment. This is a piece of legislation tabled by the minister responsible for the greater Toronto area, which I believe is a deception. I believe it does not serve well the interests of the people of this province. It is precedent-setting and it is of grave concern.

When I speak about the grave concerns, on a number of occasions in this House I have talked about the cynicism in this province that people feel towards all politicians, particularly those who tell them one thing at election time and do something else after they have the opportunity to govern. They feel cynicism because politicians stand in their place in community meetings and in this Legislature and say one thing to them when they mean something else.

My constituents in the riding of Oriole are very concerned when I tell them that this piece of legislation does not do what the minister for the greater Toronto area and the Minister of the Environment, the member for Etobicoke-Lakeshore, says it is going to do.

This piece of legislation has four parts. When this House meets at another time I will have the opportunity to look at those parts in further detail, but for the beginning of this debate I would like to place on the record what one municipal leader, Lorna Jackson, the mayor of Vaughan,

has to say about this piece of legislation. She writes to the Premier, whose bill this is, and says:

"Dear Premier: I am writing to express my concern with respect to your government's introduction of Bill 143, An Act respecting the Management of Waste in the Greater Toronto Area and to amend the Environmental Protection Act.

"This bill purports"—I underline the word "purports"—"to deal primarily with recycling and packaging proposals, which we support. A careful reading of the bill, however, indicates that its true purpose and intent are quite different. By this act, all existing legislation—the Environmental Assessment Act, the Environmental Protection Act, the Municipal Act, the Ontario Municipal Board Act, etc—and any contracts which may affect the life of the Keele Valley landfill, located in the city of Vaughan, and the Britannia landfill, located in the city of Mississauga, will be set aside to extend the life of these sites.

"The citizens of Ontario and the municipalities which represent them will lose the rights and protection provided by the legislation now in place. The hearings and reviews the citizens of the province in general and the citizens of Vaughan in particular have come to rely on are now to be withdrawn by this draconian measure.

"The amendments to the Environmental Protection Act which are part of this bill raise the spectre that other citizens in other communities will similarly be denied these rights and protections. In particular, subsection 136(4) allows for the making of regulations directing municipalities to establish or enlarge any waste disposal site in the province.

"You and your government have always supported public consultation and the need for people to be heard. Now your government is removing our rights, as established not only by the Environmental Assessment Act but by every other applicable piece of legislation. Your party was not elected to remove these rights, but rather to support and enhance them.

"We ask you to please reconsider this bill. The sections dealing with the expansion to Keele Valley, Britannia and potentially any other waste disposal site in Ontario can and should be removed and considered separately. To demonstrate your government's commitment to environmental rights in Ontario, we trust you will take this step."

The reason I put this on the record today is that there are many municipal councils, not only in the greater Toronto area but those right across this province, newly elected on November 12, who will want to have an opportunity to view this bill in detail.

We know this bill has four parts, and each part is significant enough that I would suggest it could stand on its own, but even if it did not stand on its own, each one being a separate piece of legislation, surely part IV, which is in fact amendments to the Environmental Protection Act, should be considered as a separate piece of legislation and parts I, II and III, which affect profoundly the rights of individuals in the greater Toronto area, should also be considered separately.

I look forward to further debate on this important piece of legislation. On behalf of my constituents in the riding of Oriole, it raises many issues of environmental protection,

as well as the rights of citizens, and I hope the government will reconsider the draconian nature of this legislation over the period and the course of this second reading debate.

1800

ENVIRONMENTAL LEGISLATION

The Deputy Speaker: Pursuant to standing order 33, the question that this House not adjourn is deemed to have been made. The member for Brampton North has given notice of his dissatisfaction with the answer to his question given by the Minister of the Environment concerning Bill 143 and its implication re the environmental bill of rights. The member has up to five minutes to debate the matter and the minister also has five minutes to reply.

Mr McClelland: The issue that brings us here this evening for this mini-debate with respect to a question for the minister last week is very simple. By way of supplementary question, I put to the minister a question as follows: "Is it not true that, had her environmental bill of rights been in place, the bill would have had to be added to the list of bills that she is ready to wipe out in order to get Bill 143 in?" I was speaking specifically to section 17 of Bill 143, which enumerates a number of acts that will have no force and effect in light of Bill 143 for purposes of implementation of Bill 143.

We only have five minutes tonight. Mr Speaker, let me tell the people viewing at home ahead of time what the minister is probably going to say. She is probably going to talk about waste management. She is probably going to talk about the crisis that is upon us and the need to move forward. She is going to talk about waste reduction measures that Bill 143 will afford her the opportunity of pursuing. She is doubtless not going to respond to the question that was put to her a week ago, because it is very self-evident that had an environmental bill of rights been in place, she would have had to include an environmental bill of rights in section 17 of Bill 143.

Let me very briefly read into the record, Mr Speaker, the explanatory notes of the then Environment critic, now Minister of the Environment, which are consistent with the proposal and the framework within which she has sent out for study and consultation the proposed environmental bill of rights.

Her bill of rights says that, "The bill would also provide for public notice and review of certain approvals, permits or other environment-related orders before the approvals, permits or orders come into force." That is in the explanatory notes which the member for Etobicoke-Lakeshore, the then opposition critic for the Environment, put in her bill of rights in November 1987.

In December 1989, during debate in this House, the minister said: "The position of this party"—the New Democratic Party—"is very clear and it is different. First of all, our commitment is to the Environmental Assessment Act. If we were saying that we could exempt any sanitary landfill project from the Environmental Assessment Act, we would be moving backwards." What does Bill 143 do? It says, among other things, that we can expand existing sites without any due regard to an environmental assessment.

I am going to put the question again, and perhaps again and again until we get some kind of response. The question to the minister was, if she had her environmental bill of rights in place, would it not have had to be included in section 17 as being overridden by the provisions of Bill 143? The response given last week by the minister was wonderful. She went on to say that I would be pleased to know that preparation of the draft environmental bill of rights was well under way. I am pleased to hear that as, I am sure, are all members in this House and people across Ontario. That is not the nub of the issue.

The issue again, I say very plainly to the minister, is, is it not true that had her environmental bill of rights been in place, she would have had to include that as legislation that would have of necessity been overridden by Bill 143? Today in response, in the five minutes we have, the minister may acknowledge that this in fact is the case, and then she will go on to explain why it is necessary to do that.

Fundamentally, that begs the question: at what cost in terms of people's rights, in terms of the things the minister said were fundamentally important to her, things that she said her party was different in? She believed in things. She said it was the cornerstone of her environmental agenda, that on being elected, she would immediately bring forward an environmental bill of rights.

I am not here to talk about that necessarily, but it is interesting to note that one of the basic premises of an environmental bill of rights is an opportunity to make sure that public hearings are held before all approvals, permits or orders come into force. Furthermore, a bill, as proposed by the then opposition critic, the member for Etobicoke-Lakeshore, said that it would allow action to be brought to the Supreme Court by any person for the protection of the environment.

It is plain on the face of it that Bill 143 flies in the face of the philosophy then espoused by the now minister. I say to her again, it does not require a great deal of debate. In fact, we can wind this up in less than the five minutes allotted. Is it not true that had her environmental bill of rights been in place, of necessity it would have had to be included in section 17 of Bill 143, which would override the application of the said environmental bill of rights in order for the minister to implement her waste management program?

Hon Mrs Grier: In respect to the specific question posed by the member, that had my environmental bill of rights been in place would there have had to have been an override, let me say to the member that when an environmental bill of rights is in place and when it has been debated and when it has evolved from the normal process of legislation in this place and beyond this place, there will be a clear answer to this issue.

What is very fascinating in all of the debate around Bill 143 and in the question posed by the member in the House the other day about which he expressed dissatisfaction with my answer, I do not hear any member on the other side denying that there is a crisis or a need for action to deal with the waste management problems of the greater Toronto area, problems that have accumulated over these many years and problems for which we are now paying the

price for the shortcomings and lack of planning by past governments.

What is also evident from the questions, from the debate and from the presentation we have just heard from the member is that the members opposite have not read the orders about which they profess to be so concerned. I am sure that if the member for Brampton North had read the order I have given to Metropolitan Toronto, he would know that I have ordered Metropolitan Toronto to take a number of actions that would be required were there to be an Environmental Protection Act hearing or an Environment Assessment Act hearing.

I have ordered them to do a site survey, to look at the leachate collection control and disposal system, to look at the contaminant plume from closed landfill sites located north of Teston Sideroad, to look at possible ground water contamination, gas generation, collection and control, storm water management, liner performance, final cover, buffer zones, side operations, monitoring and after-use plan, all of the environmental concerns that are allegedly on the agenda of the members opposite.

In addition, I have ordered Metropolitan Toronto to give the people of Vaughan, the people of York and the people of Metro an opportunity to participate in those studies, review those studies and play a role in the decision-making around what is an emergency order, an emergency order that is required to resolve the problems that have accumulated over many years.

That community involvement program, I told Metro Toronto, had to be developed and implemented by the municipality and should include establishment of a liaison committee, development of a communications plan and opportunities for people to do what the member thinks they ought to do, to participate in this discussion, to understand the technical reports that have to be done and to participate in that decision-making.

The member will know, as would his chorus in the front row, that should there be an application for a project under the Environmental Protection Act or under the Environmental Assessment Act, the culmination of what is essentially a fairly privately conducted process is a public hearing. What we are suggesting and what we have ordered Metro Toronto to undertake is a very public, very involved program of doing the technical studies that are always done by a proponent. I would also point out to the member and to the Greek chorus in the front row that there is nothing in this legislation that precludes any more extensive public hearing than that which I have outlined.

The issue is that we are facing a very serious crisis. In order to solve that crisis, the previous government had a solution. It would short-circuit the environmental assessment process and open up greenfield sites without an environmental assessment.

What this government has decided is that this is not a good way to protect the environment, but that if one has a shortfall and gap before the long-term sites are open, it is preferable to continue to use existing sites that have approval, existing sites for which we have required studies

to be done to indicate that there is no impact on the environment.

That is a more responsible process than what had been suggested previously. That is a process that allows the people most directly concerned to be involved, and that is a

responsible, decisive and proactive approach to a crisis and to an emergency that is with the people of the greater Toronto area.

The House adjourned at 1811.

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Journal des débats (Hansard)

Le mardi 26 novembre 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Under the new system, the sequence of numbering started in January 1991 will end with the final House and committee sittings of the present First Session. A new sequence will begin on the opening day of the Second Session, and each succeeding session, which will be issue 1 and begin with page 1. Committee reports likewise will be numbered from the first sitting of each committee in a parliamentary session.

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Avec le nouveau système, la numérotation commencée en janvier 1991 s'arrêtera à la dernière séance de la Chambre et des comités de l'actuelle première session. Une nouvelle série commencera le jour de l'ouverture de la deuxième session et des sessions suivantes : numéro 1, page 1. Les rapports des comités seront également numérotés à partir de la première séance de chaque comité pour une session parlementaire donnée.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 26 November 1991

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

CHILD CARE

Ms Poole: This NDP government has promised to provide many things to child care workers and to those who use the child care system. I would like to take this opportunity to revisit those promises.

In January child care workers were promised a pay equity adjustment of \$2,000. This was to be delivered in June. It did not arrive. Then it was to be delivered in August. It did not arrive. Then it was to be delivered in October and it still did not arrive. This is just another classic NDP ploy.

I have a message for the NDP government. They acknowledged the low wages of child care workers. They made a commitment, which they later called an achievement, but child care workers have not seen a dime. In addition, they promised the creation of 20,000 child care spaces and committed themselves to a quality child care system that was affordable, yet the subsidy waiting list of eligible families in Metro Toronto is 10,000 long.

Up to now, only 5,000 non-profit spaces have been delivered and, due to this government's policies, we have lost that many spaces in the private sector. Under this government, in the greater Toronto area so-called affordable child care is averaging \$200 per week.

On Monday, when members opposite face the child care lobby groups that have been so disappointed by their government, they had better be prepared to tell them when they can see some action and this time give them a promise they will keep.

LABOUR LEGISLATION

Mr Stockwell: I have received many calls and letters from my constituents regarding the harmful effects that will result from this government's proposed labour law reform. All have expressed the same concerns that the reform package will cost both jobs and investment in Ontario.

This government is not listening. We know the Minister of Labour intends to travel around this province, hopefully to meet with both labour and business, yet when he drafted his 30-point plan, the business community was not consulted. That really does not surprise me. They are socialists, and we all know they take their direction from the big unions.

Let me just quote from a letter I received from a constituent of mine who does not belong to a union, nor does he own or operate a business. He is just a very concerned and frightened taxpayer. He writes:

"I am writing to express my concerns over the recent proposals from the NDP government to amend the Labour Relations Act. It would seem that the NDP are going out of their way to destroy what we have left of our free market

economy"—hear, hear—"and the ability of individuals and companies to carry on business."

He goes on to say he believes the government should not be introducing any changes to the Labour Relations Act at a time when the economy is in recession or when there are so many other fundamental social, fiscal and constitutional problems facing us.

I urge the government to scrap this partisan, union-driven agenda and use its energy to create an economic environment that will create jobs and encourage investment.

CONSTITUTIONAL REFORM

Mr Mills: I want to draw the House's attention to the continuing problems the citizens of this nation are having in getting leadership from the federal government on the very critical constitutional consultations that are supposed to be happening now. I am addressing the House not to criticize the inability of the federal government to provide effective leadership but out of concern that we must not let this important discussion become mired in problems which will prevent our country from developing a constitutional base that will promote the healthy growth of our nation.

I am not stating this today out of any frustration that any problems exist in our process here in Ontario. In fact, I am pleased with the progress of the constitutional consultations and would like to extend thanks to our friends across the way for the co-operative role they are playing. What is important is that we in Ontario who have taken a leading role in the constitutional development process continue to provide the effective leadership that has been exhibited so far.

Our province needs a Constitution that works in order for us to build a sustainable economy, to know how to work with other governments and to provide the types of services our citizens need. I urge this House to continue to find ways to keep constructive dialogue happening so that the people we all represent can sincerely know that a workable Constitution will be crafted.

FIREFIGHTING

Mr Curling: Today many members of the Legislature have had the opportunity to meet with members of the Provincial Federation of Ontario Fire Fighters as they conduct their first Ontario Legislature conference here in Toronto. Some are now sitting in the members' gallery. I believe many members, myself included, will have an opportunity to meet with them at their reception to be held later this afternoon.

Before I discuss one of the important issues facing the firefighters all across Ontario, I would first like to pay tribute to the tremendous bravery and courage these firefighters show on a daily basis. Placing themselves as front-line emergency workers, our firefighters face tremendous danger as they seek to secure the public safety of ourselves, our children and our property. For their courage

and dedication in this regard, I believe we must all salute them.

As members may already be aware, Ontario's fire services are primarily regulated by two pieces of legislation, the Fire Departments Act and the Fire Marshals Act. While these pieces of legislation have generally served both the public and the fire services well, we believe it is time to update this legislation to more adequately reflect the reality of firefighting in the 1990s.

In July 1990 the Liberal government formed a consultation committee comprising all affected stakeholders in order to develop a consensus on how the new fire services legislation should look. The committee is bogged down not by the lack of interest of all the stakeholders but by the lack of action on the part of the Solicitor General. It is our understanding that members of the committee have been told that the legislation update required by firefighters is not a priority. Obviously the Solicitor General would rather spend his time dealing with life-saving legislation like Sunday shopping.

We are calling upon the Solicitor General to move ahead—

The Speaker: The member's time has expired.

1340

RURAL ECONOMIC DEVELOPMENT

Mr Arnott: I have two positive and constructive suggestions for the Premier. Here are two things the government should be doing to promote rural industrial growth.

First, the Premier's Council on Economic Renewal has been meeting quarterly to chart a course for Ontario's future economic development. The Premier's Council recently established four task forces to deal with specific issues. I call upon the Premier to establish a fifth one to be entitled Rural Industrial Development. This would attract interest and government resources towards generating ideas to facilitate rural industrial growth and stimulate interest in our small communities that are wishing to attract industrial investment.

Second, the Premier should immediately assign the Minister of Financial Institutions to fast-track the establishment of a provincial funding corporation to underwrite and guarantee both industrial and community development bonds, following the model developed in Saskatchewan, which incidentally is light years ahead of Ontario in rural development issues.

Under this program a community group would form a bond corporation and make a proposal which would be received and reviewed by the provincial government. If the proposal were approved, the group could issue bonds which would be backed by the province. Interest on the bonds would be tax-exempt. This would develop a new source of investment capital with people investing in the future of their own communities.

Rural Ontario, and Wellington county in particular, has a great deal to offer industrial investors, including wide-open spaces away from the costly congestion of the city, a stable and loyal workforce, geographical access to a large market, available and affordable industrial land and communities with a high quality of life.

I call upon the Premier to implement these suggestions immediately.

WORLD COUNCIL FOR GLOBAL CO-OPERATION

Mr Hansen: I rise today to give my full support and endorsement to the Toronto appeal for the World Council for Global Co-operation. The World Council for Global Co-operation is an international peace organization headed by 11 Nobel prize winners from 10 different countries around the world. This organization serves a very important purpose. They are pleading for reallocation of funds currently being spent on the military and weapons to be used instead for humanitarian purposes.

According to the council, over \$17 trillion have been spent over the past 30 years on arms while three quarters of the world's population lives in poverty. The council believes the reallocation would create a peace dividend that would benefit everyone. They believe global peace is best achieved by all countries working towards a common goal instead of trying to achieve national security on an individual basis.

I believe this lofty goal can be achieved through education and a change of attitudes. If three out of four people in Ontario lived in poverty we would be outraged, yet we choose not to look at the world around us. We must change our attitudes towards the less privileged countries by looking further than our own backyards.

I have handed out information packages on the Toronto appeal to all members of the House and I am urging everyone to support and endorse this worthy cause.

NORTHERN ONTARIO ECONOMY

Mr Miclash: There is a growing sense being expressed by many people in the north that the problems of the north are not being addressed by this NDP government. During this time of economic hardship they are looking towards this government for leadership and a sense of direction, and instead they find apathy, confusion and a Premier who is more interested in escaping to Europe than in dealing with the hardships being faced by the people in the north. The people have grown more disillusioned, the business community increasingly more isolated and the government increasingly less effective.

The north must contend with problems that are unique to it not only because of geography but also because of history. In recent years the young people of the region have been leaving the area in large numbers for better opportunities elsewhere. Between 1981 and 1986 an estimated 20,000 to 25,000 young people left the north. This outward-bound migration bodes ill for the future of northern Ontario.

New ideas must be developed to further opportunities of growth and to change this negative trend. Jobs and economic stability will keep our youth in the north. This is where the government can take a leadership role and where it has failed up until now to do so.

There is a huge part to be played by the government in helping to diversify the economic base in the north to lessen its traditional dependence on its resource-based industries. This would not only create new opportunities

for northerners but also provide them with a greater level of protection than presently exists from the uncertainties of the world resource markets. Leadership from this government is what is being sought by the people of the north, but unfortunately leadership is not what they are getting.

MOOSE VIDEOS

Mr McLean: My statement is for the Minister of Natural Resources and it concerns his promotion of unfair competition. In 1983 Andre Allen of Moose Hunter and Outfitters produced on film a two-hour video titled *The Moose Hunter*. In 1985 Mr Allen produced an updated version to teach hunters the proper techniques for moose calling, tracking, cleaning and dressing. Mr Allen, who has been involved in moose and wildlife conservation for more than 40 years, undertook at considerable expense and with considerable expertise to produce the video and wanted to promote it across Canada and in the United States.

Mr Allen indicates that in 1988 the ministry, without calling for tenders, entered into an agreement with an individual to produce an instructional video on moose hunting titled *Moose Hunt: A Guide To Success*. The ministry did not put this alternative video out to tender even though the ministry was aware of Mr Allen's video. The ministry has promoted the sale of the new video in pamphlets enclosed with moose validation tags without mentioning the availability of Mr Allen's video. The ministry's endorsement of one video over another promotes unfair competition. The minister has treated Mr Allen extremely shabbily. I would urge him to contact Mr Allen immediately to negotiate monetary restitution for loss of sales and loss of potential future sales.

BUSINESS PRACTICES

Mr Kormos: Members know I have a whole lot of real good, hard-working people down in Welland-Thorold, people like Gordon Stuart and his spouse, Edda Critelli. Those people are getting ripped off. Let me tell members now the scam is working. An outfit called JCS Ventures operating out of St Catharines is peddling Filter Queen vacuum cleaners door to door. They are charging people like Gordon and Edda \$1,400 for a vacuum cleaner, using the classic, hyperbolic, high-puffed, high-powered, high-pressure sales techniques that are long, long traditions for these types of artists, and they are making them sign contracts with an interest rate of 26.7%.

Of course, these vacuum cleaners do not do what the sales pedlars say they are going to do, so what people like Gordon Stuart and Edda Critelli did was say, "We'll stop making the payments." They were not told the paper was sold to an outfit like Trans Canada Credit Corp. Trans Canada Credit repossesses this \$1,400 vacuum cleaner and peddles it to one of its buddies for a mere \$214. That is a scam. Then these people find themselves in high-priced lawsuits, under real pressure, having to defend themselves under the most unscrupulous and unconscionable circumstances.

People should not be buying products like Filter Queen as long as Filter Queen and its distributors peddle their garbage like this. I want to hear from people who are

listening now who have been ripped off in similar ways, because we had better start doing something about it to protect those good, hard-working people.

VISITOR

The Speaker: I invite members to welcome to the chamber this afternoon Mr Alexander Bey of the German consulate, who is seated in the members' gallery east. Welcome.

ANNUAL REPORT, PROVINCIAL AUDITOR

The Speaker: I beg to inform the House that I have today laid upon the table the annual report of the Provincial Auditor, covering audits completed through August 31, 1991.

VISITOR

The Speaker: I would cordially invite the members to welcome, in the Speaker's gallery today, the Provincial Auditor for the province of Ontario, Mr Douglas Archer. As Mr Archer will be retiring at the end of this year, I believe this is a good opportunity to thank him on behalf of the Legislative Assembly for his many fine years of dedicated public service. Thank you.

1350

STATEMENTS BY THE MINISTRY

FOREST INDUSTRY ACTION GROUP

Hon Mr Wildman: As part of the government's commitment to economic renewal, a number of ministries, led by the Ministry of Natural Resources, agreed to form a forest industry action group to address economic challenges in Ontario's forest products industry. The action group's approach will be a co-operative one. It will bring together business, labour and government in an effort to find effective and lasting solutions to the industry's current problems.

I am pleased to announce the appointment of John Valley as assistant deputy minister, forest industry action group. Mr Valley, a native of Thunder Bay, has a broad range of experience in the forest products industry and associated natural resource, mining and energy matters. Since 1982 he has been a vice-president with Boise Cascade Canada Ltd and is currently the company's vice-president, administration and corporate affairs. Prior to joining Boise Cascade, Mr Valley spent six years in management positions with Algoma Steel in Sault Ste Marie.

Mr Valley will join us in mid-December. His first task will be to consult widely with senior business and labour leaders and come back to me with an action plan as soon as possible.

The forestry industrial sector is a key element in the social and economic fabric of this province. Ontario produces more than \$12 billion worth of forest products annually and accounts for about 20% of Canada's exports of wood and wood products.

Our forest products industry generates larger net export earnings than any other part of our economy. It is responsible for more than 160,000 jobs and is the anchor for about

40 communities across the central, eastern and northern parts of the province.

But the forest products industry is a cyclical one and for some time now it has been experiencing a serious downturn. Markets are weak, demand for newsprint is down substantially and pulp prices have fallen by one third in the past year. Lumber prices also are low because of fewer North American housing starts and a soft market overseas.

There are many reasons for this downturn. They include the impact of the recession generally and the high Canadian dollar, trade disputes with the United States over softwood lumber and changing demand in the marketplace. The industry needs to develop a long-term industrial strategy to address these changing variables. It needs to find ways to create stability so that forest products companies and communities which depend on the forest products industry are less vulnerable to the cycles and downturns that have typified the industry in the past.

The government is committed to a strong, healthy, prosperous Ontario forest products industry. We are also committed to sustainable forestry. That involves a redirection of our forest program so that Ontario's forests are managed in a way that ensures the long-term health of forest ecosystems and recognizes a diverse range of forest values.

But sustainable forestry also means a sustainable forest products industry and sustainable forest communities. Sustainable forestry can contribute to Ontario's economic renewal by ensuring the sustainability of our forest resources, making the forest products industry more competitive in the future.

Mr Speaker, as a government we are not alone in our belief that effective and long-lasting solutions to the challenges created by the recession must come through a co-operative approach, with business, labour and government working together to achieve common goals.

Over the past few years, a number of independent reports examining the forest industry have recommended a co-operative approach by business, labour and government. More recently, I hosted a meeting in late October which brought together forest industry representatives, labour leaders and a number of my cabinet colleagues.

The consensus from these discussions was that the pressures of global competition are very serious and that a tripartite approach was essential for meeting the challenges facing the forest products industry. It was also clear that we must act now rather than later. Leadership at this point is essential.

The forest industry action group will have my full support and the full support of this government as it seeks ways to help Ontario's forest industry meet the challenge of the structural and cyclical pressures that it must deal with.

RESPONSES

FOREST INDUSTRY ACTION GROUP

Mr Ramsay: In opposition we have to consider day to day how we approach issues brought forward by the government, and at times it is necessary to be aggressive and

tough when the government does things that we over here disagree with. But I must say to the minister that he has got this right, and I will tell him that. This forest industry action group is exactly what is needed. A new strategic look at the industry as a whole is the right thing to do. The timing is right on.

I must say that the choice of John Valley, a key person from the corporate side of forestry, is the right appointment to head this up. I happen to be a personal friend of Mr Valley. I know him and I have worked with him in his dealings as a northerner with issues involving his company. Many of my caucus, and I know others in the House here, have a high regard for John Valley. It is the right appointment. I know Mr Valley is a native northerner who has run operations in the north and now lives in the south who knows the forestry industry. He knows all the people in the industry and it is my sense that he has the respect of everybody in the industry. To bring somebody from the private sector in to captain this is the right idea and bodes well for the future of the forestry industry.

I know as a northerner, and my colleagues know, that forestry is one of the main resources, one of the main components of the northern economy. That and mining are what the northern economy have been centred on, and by and large will continue to be. As the minister knows, we have to look at forestry in new ways. We have to make sure we have sustainable forestry. We also have to look from an industry standpoint at how we can add value to that resource. That is something I see this group committed to and which my caucus will certainly support.

I have a couple of questions for the minister with regard to this group. He has announced, since being minister various other consultative groups in the forestry industry the one on sustainable forestry and, of course, we have the timber environmental assessment that has been ongoing for eons. How is the minister going to co-ordinate all these various activities? It is going to be very important for certainty in the forestry industry that we know there is one voice coming out of the industry for expressing the needs.

I must also reiterate the tremendous need for this right now. We have lists of layoffs in the forestry industry right across the north and they are continuing every day as we speak. In Iroquois Falls, 150 workers laid off; in Kenora, Boise Cascade being shut down for the month of December; with many industries in Thunder Bay, also temporary layoffs. It is very important that this committee get off the ground.

I would also like to say that this government has talked about partnership. Maybe this is an opportunity for the government to put its money where its mouth is because partnership is certainly needed, and this committee is certainly tasked with that challenge. I would say to my friend John, if he is listening, when he heads this group up and sits down with management people he should ask them and union people to doff their institutional hats, to sit down together and once and for all really talk about what is the best thing we can do for this industry.

I would say to management that maybe sometimes we have to take the word "boss" out of our vocabulary. I would say to the unions to put the word "partnership" in

their vocabulary so we really start working together and make this industry viable for the north. If it is viable for the north, it is going to be good for all of Ontario. That is going to be very important—a sustainable forestry industry with value added that will provide jobs for northerners and people in southern Ontario and provide for a viable, sustainable economy for Ontario.

Mr McLean: I commend the minister for initiating this important measure to address issues of concern in the Ontario forestry industry. As the minister notes, the forestry industry is an important sector in this province's economy. More than 160,000 jobs in some 40 communities are dependent on this important industry.

I hope this newly formed industry, the action group, will address the major issues facing all the forestry industry. Ontario is perceived as a highly taxed jurisdiction, and the subsequent high cost of doing business in this province is a concern for potential new investors.

The Ministry of Labour is proposing radical new labour law reforms which will obviously have a major impact on a labour-intensive industry like forestry. Also, the 11.8% increase in hydro rates for 1992 will have a major effect on the forest industry and the pulp and paper mills. They require large supplies of affordable power. The Minister of Industry, Trade and Technology, through the introduction of Bill 118, has failed to address this important requirement.

In summary, I trust the Minister of Natural Resources will provide a wide mandate for this action group so it can study all issues facing the Ontario forestry industry. I have one question for the minister and I would like some time to be able to get an answer. It has to do with this very important Orono nursery, and the Minister of Natural Resources is very well aware of that. It grew six million trees in the last three years. It employs 100 people, with wages amounting to approximately \$850,000.

The Orono nursery is one of the most cost-efficient in the province. It is producing trees at \$5 per 1,000, which is cheaper than all the other nurseries. The Orono nursery sold 2.8 million trees to private land owners for reforestation projects in southern Ontario last year. The Orono nursery is 1,300 acres in size; 500 acres are used for growing trees and the remaining land is wildlife habitat.

I would like to know if the minister will confirm that he is planning to close down this nursery, as well as nurseries in Dryden and Thessalon, which will result in the reduction of seedling production from 165 million to approximately 120 million. That is a very good issue, when he has this study group studying what has happened with forestry in Ontario and when he is planning on closing down three of these nurseries.

1400

ORAL QUESTIONS

ANNUAL REPORT, PROVINCIAL AUDITOR

Mr Mahoney: I notice with some interest that the Treasurer is frantically reading the latest published Provincial Auditor's document. I suggest he wait until the movie comes out; it will be much more entertaining.

My question is to the Premier. In reference to this document, he told the people at some length during the last election campaign and has continued to do so during his year and a half in government that he indeed was going to be different. I looked through the document this morning in the lockup to see if I could find where he could live up to the claim that he indeed was going to be different.

I refer the Premier to page 77 of the report, where we deal with the auditor's examination of expenditures surrounding Surrey Place Centre, as he knows, a non-profit corporation funded primarily by the Ministry of Community and Social Services and servicing handicapped children, adults and their families in the greater Toronto area.

While the Treasurer has been looking for lost hundreds of billions of dollars to try to keep his deficit below the \$10-billion mark, the auditor simply found \$750,000 that could be saved without affecting the quality of care. I refer the Premier to \$200,000 spent on housekeeping, compared to similar agencies that spend \$100,000; \$210,000 spent on accounting and human resource staff, which is double that of other similar agencies; \$60,000 on three full-time staff to handle photocopying and mail delivery and \$30,000 for someone to prepare snacks for the staff during their breaks.

The Speaker: Would the member place his question, please.

Mr Mahoney: With this kind of report on Surrey Place Centre under his government, will the Premier instruct the minister to investigate this obvious waste, eliminate it, make the savings and continue to provide good service to this client group?

Hon Mr Rae: First of all, let me thank the member for his question and wish him well in his travels over the next while, and let me express my appreciation to the auditor again for the public service he has rendered not only to the government but to the people of the province, and to answer with a very simple "yes" the question from the member for Mississauga West.

Mr Mahoney: We will look forward to the results of that from the minister, seeing how those moneys can be saved. I am sure the Treasurer is delighted that the Premier just found him \$750,000 as a result of my question. I am happy to help him with his budgeting any time I can.

To go on to some of the other documentation, the report of the auditor with regard to the Liquor Control Board of Ontario—perhaps the Premier could take a look at that section; I do not have the page number handy, but he will find it in the index—we remember that the Premier appointed the chairman, Mr Brandt, who we all know was one of the finest leaders of the Progressive Conservative Party, at least one of the finest it has had lately. I will sort of leave it at that.

There are several questions regarding how the board is spending taxpayers' money. Can the Premier tell us if he is happy with the auditor's findings that taxpayers are funding LCBO retirement dinners, golf days and curling bonspiels? Further, he reports that they are running a private fleet of cars, much of which is for the private use of the staff at the board. Does the Premier condone these types of

activities and, further, does he think Chairman Brandt's response to the auditor's charges is sufficient?

Hon Mr Rae: With respect to the comments on the liquor control board, first of all, let me say it is my understanding that the employee in question with respect to the ineligibility of expenses and other irregularities is no longer an employee of the liquor control board as a result of decisions taken by the board.

The Chairman of Management Board of Cabinet has written very clearly to all agencies of government expressing the government's concern about practices with respect to expenses and with respect to their salaries and other issues, so obviously any such report or comments by the auditor trouble me. We expect a satisfactory response from all boards and agencies of the government.

Mr Mahoney: I am delighted that it troubles the Premier, but I have not heard exactly what he intends to do with it. I refer him to the example of \$4,000 in ineligible expenses that was discovered some years ago. The report indicates that \$50 of that was required to be paid back. What I really think we want to know from the Premier is whether he is satisfied with this kind of response. It was not referred to the committee that is established by the LCBO to deal with these kinds of problems. It was simply dismissed in the response by the chairman of the LCBO, and it clearly is an indication that this kind of waste and insensitivity to spending taxpayers' money is alive and well in this government, I tell the Premier.

What I would like to know is, is he going to call this chairman in? Is he going to sit the chairman down and tell him that the taxpayers have no intention of funding golf days and bonspiels, have no intention of allowing for a private fleet of cars to be made available for the staff, have no intention of allowing for taxpayers' money to be wasted in such a fashion? The Premier said he was going to be different. We want some concrete examples of how he is going to do it.

Hon Mr Rae: Let me repeat what I said to the honourable member, because I do not think the answer sank in. What I said to the honourable member was that the services of the employee in question—which the member raised in his third supplementary—have been terminated by the liquor control board, which is determined to get restitution for what it feels is a fair amount with respect to any expenses incurred which are not appropriate. The board is taking responsibility for that.

Let me also say that it is Mr Brandt's clear responsibility as chairman of the board to pay very close attention to the comments made by the Provincial Auditor. It is equally our responsibility to ensure that this happens as well, and we will do so.

Mr Mahoney: As usual, the Premier answers one small part of the question. It is fine that they are looking for restitution, but clearly he did not address all the other issues of waste in that particular agency. Recognizing that I am not going to get a satisfactory answer, I would like to place another question.

GOVERNMENT SPENDING

Mr Mahoney: Yesterday in this House it was reported by my leader, and it was reported today in the paper, that the Premier announced in a scrum outside this House—where most government announcements are made these days, I might add—that he has personally fired the NDP vice-president, Jill Marzetti, from his Consultation Central Co-ordinating Committee, or whatever it is they call that. Will the Premier today confirm for this House that he will be removing all the political appointments? I believe there are some 18 executive assistants who are purely political staff appointed to this particular committee. Will he confirm that he will be removing all political appointments from this committee and tell us what guidelines he will put in place so that this odious practice does not recur?

Hon Mr Rae: Again, let me answer as succinctly as I can. The answer to the member's question is, in a word, no, because surely the member would realize a distinction between staff members who are employed by ministers and who are involved in the responsibility of the government of the day consulting with one another and discussing with one another the work of the government, who are in a different position, I would argue, from the provincial secretary of a political party. This is not a partisan exercise. This is intended to provide information to the public and to give the public a chance to respond to us.

1410

Mr Mahoney: Pardon my reaction, Mr Speaker. To say it is not partisan when the government appoints executive assistants to ministers—surely the Premier is not suggesting that the personal executive assistant of a minister is not a political appointment. Obviously that person's job expires when the minister's expires. Clearly that person's job is tied to the role of the minister. Government members can shake their heads all they want, but that is very clear. It is equally very clear that these people are political staff.

In the chief government whip's memo it is stated that two meetings of the CCCP have already taken place.

Mr Bradley: Freudian slip.

Mr Mahoney: Is that not what it is called? Am I mistaken? That is what I thought it was called.

Having had two meetings would imply that the committee, including Jill Marzetti, has been together for some time. Recognizing that the Premier has been on the River Thames and he has been in Paris at the opera and he has been travelling around the world, what I would like to know is if the Premier can tell us when he became aware of the committee's existence. Was it indeed yesterday when my leader asked the question? When and how did he approve the committee's mandate and membership? If he cannot answer that, I would like to know if he has any idea what his staff in his office are doing running around setting up political patronage committees to try to promote the image of the government.

Hon Mr Rae: I say to the honourable member, first of all, I did not go to the opera. Second of all, I learned of it yesterday.

Mr Mahoney: I am trying to look for an answer. That kind of flippant response is really not what the people of this province expect.

Now he has to ask the Treasurer what I just said. Let me repeat it. That kind of flippant response is not what the people of this province expect. He should start acting like a Premier and answer the questions that are being put to him, in fairness.

We want to know how and when he put this committee together. The real tragedy in this whole CCCP committee mess is that once again he has taken the germ of a good idea that could have helped further consultation in the public process and he has absolutely butchered it with ideological zealots and partisan flunkies in an inept attempt at NDP political correctness. That is all he has done.

I want the Premier to know that what scares people is his insistence on politicizing everything he touches. I understand rumour has it that he is even abandoning the only real consultative committee he has at his disposal and he is hijacking funds from the Ontario Round Table on Environment and Economy to pay for the propaganda machine he is setting up with the CCCP committee. How does he justify abandoning the round table and how does he justify establishing a propaganda committee to simply promote all the nonsense his government is trying to perpetrate on the public of this province? He should answer the question this time.

Hon Mr Rae: The member's campaign is obviously taking off. But I want to say in very direct answer to his comment that the allegation he makes in his question with respect to the round table is completely, totally and utterly false. Wrong.

CROWN CORPORATION SPENDING

Mr Harris: My question is to the Premier. Since he was off on his tour of Europe, he may not be aware of the audit which was done on his deputy ministers. It revealed many of his deputies were wining and dining at taxpayers' expense. Now we find out that the rot goes much deeper.

The Provincial Auditor has revealed that senior officials in at least two of Ontario's crown corporations are also living the high life. At the Ontario Waste Management Corp, one senior official who lives in Metropolitan Toronto spent an average of \$140 per night to stay at a downtown Toronto hotel. He did not do this just once; he billed taxpayers for a night of rest and relaxation 28 times. The corporation, in defence of this practice, thought it was okay. It condoned the practice for a senior official who lived in Toronto and rented a hotel 28 times.

Does the Premier condone this expenditure? If he does not, what does he intend to do about it?

Hon Mr Rae: No, I do not condone this behaviour. I do not think anybody does, particularly at this point in our history when we all realize just what the province is going through. No, I absolutely do not condone it. What we intend to do is follow the auditor's advice with respect to making it crystal clear, as clear as we possibly can, throughout the public service what the expectations of everyone in this House and the public are with respect to the conduct of public servants.

Mr Harris: I appreciate the answer, except that I have been bringing these issues up for the past year and every time I get the answer: "No, we don't condone that. Watch, we are going to stamp that out. You'll never see this again." Yet week after week and month after month we get more examples.

No wonder the Ontario Waste Management Corp is called that. They are certainly wasting taxpayers' dollars. Two senior officials spent \$15,000 on entertaining. They took their own employees out for lunch 381 times. There were no outsiders. They were not even getting some free advice for buying these lunches. They took their own employees out for lunch 381 times, for \$15,000. There are only 365 days in the year, and these employees, I suggest to the Premier, are the higher-paid employees. They should be able to afford their own lunch. According to the auditor, they are paid salaries significantly higher than comparable government positions.

Crown corporations set their own salaries. I know there is some direction but obviously, from the auditor's report, the direction is not enough. Will the Premier immediately agree to implement strict guidelines for salary levels in Ontario's crown corporations? More important, will he see that these guidelines are followed?

Hon Mr Rae: The member makes a good point. The crown corporation in question was established, at arm's length from the government, by a government of which I believe he was a member. The period in question is one which I think can fairly be said to be shared by all three governments with respect to the problems of overspending which have been clearly documented by the Provincial Auditor. The minister has met with the chairman of the corporation to express the very strong concerns of the government and our profound disagreement with these practices.

With respect to the second point, I can only say to the member that obviously it is something we will consider. I see some practical and legal difficulties with what he is proposing, but his intention and goal with respect to restraint in these corporations are ones we share, and they have been conveyed directly to these corporations by the Chairman of Management Board on behalf of the government.

Mr Harris: The Premier is telling me there is great difficulty. He had no difficulty in politicizing Ontario Hydro, bringing his own NDP person in, setting him up and doubling his salary. He had no difficulty in doing that, so he should not tell me he has difficulty. These are Ontario crown corporations that exist at his leisure.

Hon Mr Rae: That is at my "pleasure."

Mr Harris: Maybe the Premier enjoys it. It is a pleasure for him to see all the waste, but it is not much pleasure for the taxpayers.

The auditor really has not told us anything new. Time and time again, I have brought these issues to the fore. I get the answer: "Oh yes, we agree with you. Thanks for bringing it up. We're going to make sure it isn't going to happen again." Obviously, that type of response to my repeated questions in question period is not enough, because

all we get is the rhetoric here in the Legislature. We see example after example.

I am not blaming the Premier for past expenditures, for the waste that took place when my predecessors were in government or when the Liberals—that is when spending really took off—were in government.

1420

The Speaker: Will the member place his supplementary, please?

Mr Harris: I am blaming the Premier, though, for still moving 180 degrees in the wrong direction and not doing anything about it. We need direction from the top. What assurance can the Premier give us, other than the rhetoric I get day after day, that he is going to put measures into place to control his own civil service and the crown corporations and that he is not going to tolerate, subject obviously to some penalty, this type of extravagant expenditure?

Hon Mr Rae: I think the member has given a very good expression of my own thoughts on this issue.

Mr Harris: Next week we will be back again, I am quite certain, because I do not sense from the Premier a serious commitment to solving these problems.

HAZARDOUS WASTE

Mr Harris: My second question is for the Minister of the Environment. The minister has no doubt seen the auditor's report on waste management in her ministry. Would the minister tell us what health hazard is posed by the fact that 17% of hazardous and liquid industrial waste generated in this province appears to be flowing into our sewers and then into our lakes and streams?

Hon Mrs Grier: I certainly share the member's concern about the flowing of any waste into our sewers and into our river systems. That is why I am very proud our government has enhanced and increased the strength of the municipal-industrial strategy for abatement program to make sure we get down to zero discharge of persistent toxic contaminants into the waterways of this province and begin to do something about a problem that has existed for a very long time.

Mr Harris: The minister has done absolutely nothing since she took office to move us forward in any way. We have had rhetoric. She has talked about doing it but she has done nothing. According to the auditor's report released today, the Ministry of the Environment appears to be content to breed a whole generation in Toronto and across Ontario of mutant ninja turtles. That is the only thing I can conclude.

The auditor reports that the Ministry of the Environment failed to ensure that hazardous and liquid industrial waste was actually being shipped and received appropriately. If the minister does not know what is happening to this waste, what assurance can she give this House that it is not in our sewers and it is not a serious health risk for the people of this province?

Hon Mrs Grier: In his first question, the member referred to direct discharges into the waterways. Now he is focusing on the auditor's report. I think that is entirely

appropriate. We have this information and I share his concern that the manifest system is obviously showing a number of discrepancies and is not following hazardous waste as it was designed to do. The only reason I have been given for that happening is to some extent the increased volume of generation of hazardous waste. The system in the central region alone was established with 3,000 generators in 1986 and it now has 12,000. What we are doing is reallocating staff and appointing people to make sure the discrepancies and errors the auditor has pinpointed stop happening.

Mr Harris: It is a matter of priorities. The auditor today indicated that government, trying to be all things to all people, is not doing the very basics—protection of health and welfare, for example—it should be doing. The government has 10,000 more civil servants than when we left office, 9,000 thanks to the Liberals and another 1,000 thanks to the incumbents. They hiked the cost of the civil service 16% in one year; that was the year-over-year cost. Yet when we come down to these issues they do not seem to know where the waste is going. In fact, they do not know where it is coming from, either. They have done nothing about it.

The Minister of the Environment is responsible for waste management in this province yet she has no control over what is happening. Obviously the ministry has failed, and to date the minister has failed, to improve this situation. I want to know what the minister is going to do and what kind of priority she is going to give with all the new money she is spending to make sure this mess is cleaned up.

Hon Mrs Grier: Cleaning up the messes of the past is a very high priority for my ministry, but let me respond with respect to the auditor's statements that there were discrepancies in the manifest system of hazardous waste, something that concerns me very much. The auditor says there were 3,000 discrepancies occurring each month. I am delighted to be able to tell the House that measures were initiated as soon as we became aware of that, and the figure now is 600 a month.

I regard that as too many and I have assigned somebody specifically to sort out how many of those discrepancies are clerical errors, as some of them are, and which, as the member has indicated, pose threats to the environment or the health of the people of Ontario. Those will be resolved, because that is my responsibility and that is what I intend to do.

CONSULTATION COMMITTEE

Mr Scott: Some of my constituents who watch this performance on television are beginning to complain that it is a farce and that the questions are not answered by ministers of the crown. I am going to use my period in question period to try a little experiment and ask a question of the Minister without Portfolio, the government whip, about this committee, the existence of which was revealed yesterday.

Mr Bradley: Political committee.

Mr Scott: The political committee. I am going to ask three simple questions which I want viewers to listen to carefully and to see whether we get an answer to them or whether we get a lot of baffle. The minister should pay attention, please.

The first question is, who suggested this committee to her in the first place? The second question is, who appointed her to the committee to be its chairman? The third question is, what, including advertising, was in round figures the estimated budget the committee was going to work with? Three simple questions, and I would like answers.

Hon Mr Rae: Mr Speaker—

The Speaker: The question was directed to the chief government whip.

Hon Mrs Coppen: Mr Speaker, I refer to the Premier.

Hon Mr Rae: I think it is important that the member should understand that the government has all kinds of internal consultative committees. It is not an unusual thing at all. It is part of the overall work of the government and it is entirely appropriate that the Minister without Portfolio should be involved in this way, as the chief whip and Minister without Portfolio in the government.

Mr Scott: I guess my constituents and the viewers will have to make their own judgement about whether the minister was able to answer this question, but I think what happened is quite revealing. I frankly believe this cockamammy scheme—well-intentioned, no doubt—was devised in the absence of the Premier in Europe. But if there was ever an example of who was responsible for it, it was given to us by the chief whip of the NDP government, who referred all questions connected to it, including its budget, to the Premier. This is his plan to broaden the political base of his party, as the memorandum says, and I would like to know how many millions in advertising budget was allocated to this cockamammy scheme.

Hon Mr Rae: No money has been allocated yet with respect to this overall communications activity of the government. It is an overall communications responsibility. As I said in the House yesterday and as I said outside, and I will say it again, any communication by this government with respect to the consultation process will come out of existing funds for communication and in fact represents a saving to the taxpayers of the province.

Interjection.

The Speaker: Order. Does the member for St George-St David have a point of order?

Mr Scott: On a point of order, Mr Speaker: I just want to remind my constituents that we are batting zero for three of the questions.

The Speaker: Would the member take his seat so that the member for S-D-G & East Grenville can ask his question.

1430

ASSISTANCE TO FARMERS

Mr Villeneuve: Yesterday the Minister of Agriculture and Food told the Ontario Federation of Agriculture's annual meeting that the NDP government of Ontario had no

additional financial assistance for the federation at this time, and certainly left it with the impression that very little money would be forthcoming in addition to what it already has in agriculture. The federal government is giving Ontario farmers more than \$118 million in additional dollars and it will be available over the course of the winter. That is about three times as much as the \$35.5 million that the government was able to find.

Can the minister explain why, after this emergency aid announcement, Ontario agriculture is receiving a smaller percentage of the budget than it did in 1980-81, which was a very difficult time, or through the drought of the mid-1980s?

Hon Mr Buchanan: First, the member is correct that the message delivered to the OFA banquet by the Treasurer and myself yesterday was that there will probably be no more emergency aid. That is correct. Times are difficult fiscally. At the same time, we did find the \$35.5 million in emergency aid to farmers. I would say to the member that I believe, and farmers in this province believe, that the reason we got federal money is that the province took the lead in providing that \$35 million up front. It was on that basis that the farmers were able to go to Ottawa and leverage additional money. I think that by the Ontario government taking the lead as it did, we were able to get that extra \$118 million for the farmers of Ontario.

Second, we got about \$119 million in new money for agriculture in this year's budget spent for farmers in Ontario. That is significant and as much as the federal government put in.

Mr Villeneuve: Ontario farmers not only have the major financing problems facing them imminently because of very low prices; they also have very serious concerns over the structure of the farm tax rebate. The previous government changed that around quite considerably and then brought it back. Right now farmers are wondering what the minister is going to do with the farm tax rebate.

Indeed, taxes are going up continuously because this government is not funding what it mandates municipalities to do. Farmers should not even be paying that tax on farm land and farm buildings. The minister has structured it—makes him look good—that he reimburses \$154 million, which he is rebating. It should never be paid in the first place. What does the minister intend to do with the farm tax rebate structure?

Hon Mr Buchanan: There are several things. One of the early things we did as a government was to set up the Fair Tax Commission, which is certainly going to look at property tax on farm land and the fact that education tax, which is being paid by farmers and then rebated through the Ministry of Agriculture and Food, will have to be examined as to its fairness as a way of collecting taxes to fund education.

In terms of the earlier part of his question, that program is being reviewed by Treasury board. We are looking at a number of programs in this government to see if there is some way of achieving some savings. The member's party is often talking about increased spending and what we should be cutting back. We are now examining a variety of

programs across the government to see if savings could be achieved. That program happens to be one of the programs that is under review. We are not intending to change it in any major way, but it is under review to see if we can achieve some savings by looking at that program.

DETROIT INCINERATOR

Mr Lessard: My question is for the Minister of the Environment. I know members of this House will be aware that the province of Ontario has been involved in litigation in the state of Michigan as a result of the Detroit incinerator. I was surprised to read this week that the Essex-Windsor waste management committee has released a number of options to deal with waste management at the end of 1992 when the Maidstone landfill is scheduled to close.

I was surprised as well to read that on that list of options was the option of transporting or exporting garbage to the incinerator in Detroit. I would ask what steps the minister is prepared to take to ensure that this option is not explored any further to export Windsor's garbage to the state of Michigan for incineration.

Hon Mrs Grier: I appreciate the opportunity to comment on this issue because I know, and the member has shared with me on a number of occasions, his concerns about the problems faced by the Essex-Windsor waste management committee in dealing with their waste management problems, problems with which they are not alone, but about which our ministry, through the act before this House at present dealing with waste reduction, certainly has a comprehensive policy to attempt to resolve.

I was surprised, as was the member, to find that the series of options released by the Essex-Windsor waste management committee on the ways of solving their problems included the option of exporting to the Detroit incinerator, because I certainly supported my predecessor, now the member for St Catharines, and have continued the suit by the province of Ontario in order to try to get the Detroit incinerator either shut down or operating with safe devices.

I am glad to see that a public meeting is being called for Windsor for December 12 to discuss the options that have been laid out. I am sure the good citizens of Windsor who have expressed on so many occasions their concern about the Detroit incinerator will quickly ensure that this is not an option that is pursued. I would support them in that endeavour.

HOSPITAL BEDS

Mrs Sullivan: It is interesting that they are still allowing shipping of waste for incineration in Niagara, but my question is of the Minister of Health.

The Ontario Hospital Association has estimated that some 3,292 hospital beds will be closed in Ontario by March 1992. The Provincial Auditor noted in his report that in 15 hospitals selected for his study, some 770 beds were closed for the 1990 fiscal year and that there was no evidence that the branch team had monitored bed closings in at least 12 of those hospitals.

The ministry policy has been that there should be no change in the number of beds in protected programs—

mental health, emergency, critical care, specialized tertiary programs—without the prior approval of the ministry. Would the minister confirm to us today that no bed closures in Ontario are being made without the approval of the ministry and monitoring of all the community needs by the ministry?

Hon Ms Lankin: With respect to the comment in the Provincial Auditor's report that 770-odd beds have been closed since 1985 not in accordance with the policy that the ministry should give approval, I want to point out to the members that in 1989 the previous government changed the policy with respect to that. It indicated that hospitals would not have deficits funded and moved to the policy that the member speaks of with respect to protection of certain programs.

The information I have received at the ministry with respect to approval of any beds being closed that are within any of those protected programs is that this is not happening and that it is being reviewed as those suggestions are made. However, I have had meetings with professional associations which have suggested that this may not be the case. I have asked for some work to be done to look into that to ensure that we are getting adequate information and that monitoring is being done.

The member will also know that I have sent a direction both to the hospital association and its members and to the district health councils to hold meetings in districts and regions to look at this very issue.

Mrs Sullivan: People across Ontario are of course very concerned that hospital beds are being closed because of financial pressures placed upon hospitals by the government rather than because of health care needs in their communities. I want the minister to reconfirm to the House that from now on each one of the 3,292 beds that will be closed by the end of this fiscal year will have her blessing and her approval as Minister of Health.

Hon Ms Lankin: I am not going to change policy on the spot in the House. The policy established as of 1989—as the member well knows, because she was in the government that established the policy—is that deficits will not be funded. We continue to put in place and support that policy. What I have done is ask that within each community the district health councils sit down with the members from the hospitals in their communities to look at the effect of whatever budget planning those hospitals are doing this fiscal year and next fiscal year on the delivery of needed services to their community and that these decisions be based on health outcomes and community needs. I hope that will meet some of the concerns the member is raising.

1440

LABOUR LEGISLATION

Mrs Witmer: My question is for the Minister of Labour. There have been two separate studies on the economic impact of the proposed changes to the Labour Relations Act. One was done by the Canadian Federation of Independent Business and the other by the firm of Ernst and Young for the All Business Coalition. Both these studies

concluded that approximately 500,000 jobs could be lost. The minister has repeatedly denied this and has argued that there will be no job losses as a result of his proposals. Yet he has failed to produce an economic impact study to support his position.

Given that jobs continue to disappear each day in this province, and given that 500,000 jobs are predicted to disappear if the minister goes ahead with the changes to the Labour Relations Act, will the minister tell us today whether this government has conducted an economic impact study on the labour law changes? If not, can he tell us why he refuses to do so when so many potential jobs are threatened?

Hon Mr Mackenzie: I think the member is aware that there have been no real studies done to date at all. The studies she is referring to from business are really surveys of their members and not thorough studies of the issues before us.

Mrs Witmer: They have done studies. They have done economic studies. I believe that is extremely important because every day I continue to hear from people throughout this province who indicate to me that they are going to be forced to eliminate jobs as a result of the proposed changes.

I would like to read from two letters. The first is from the owner of Cottingham Tire and Auto Service in Tilbury. His letter was sent to the Premier. "I know in my own place of business that if these laws came into effect that I would be forced to lay off at least two of my 12 employees."

I also know that the Premier recently received a letter from the president of the Superior Tire Group which states that, as a result of the minister's action: "Rather than take expansionary opportunities or even remain stable, we have decided to severely downrisk our overall investments. Our workforce will be reduced by 25% coupled with a reduction of outlets, two companies and various sales areas."

The Speaker: Would the member place her supplementary, please.

Mrs Witmer: These are not isolated incidents of job losses. These people are telling us that jobs will be lost if the minister proceeds. In the absence of an economic impact study and in the face of so much evidence to the contrary, how can the minister be so certain that his proposals will not create further economic hardship for the men, women and children in this province and how can he proceed at this time when the jobs of so many workers are so clearly at risk?

Hon Mr Mackenzie: Surely the member can understand that when we have a discussion paper out there which we have not even gone through the process with yet and when we do not have legislation, it is pretty hard to do a study on what the results are going to be of a discussion paper that has not led to the legislation as yet.

COURT SYSTEM

Mr Johnson: My question is to the Attorney General. A number of lawyers in my constituency have contacted me with respect to the advisory committee which the minister established in July of this year to make recommenda-

tions about screening of criminal charges, disclosure of the crown's case to the defence prior to criminal trial, and resolution or plea discussion. No one disputes that these matters are vital to the administration of criminal justice in Ontario, but it is precisely because these issues are so important that some of the lawyers in my community resent the fact that only the interests of crown lawyers are being represented on this committee.

Does the minister not agree that the criminal justice system is of interest to our entire community? Should we therefore not extend the representation of the committee to include some of these interested parties? Surely the minister will recognize that an advisory committee constituted like this one cannot help but draw one-sided conclusions.

Hon Mr Hampton: I thank the member for the question. My sense is that perhaps his question is related to some articles that recently appeared in the Law Times about the committee which is known as the Martin committee. I want to categorically disagree with the statements made in the Law Times. The committee, which is chaired by former Justice Martin, is a committee which has crown attorney representation on it. It also has defence counsel representation on it. It also has representatives of police associations and police forces on it. It has representatives of the federal Minister of Justice on it.

It is, in fact, a well-balanced committee which is searching for an answer to a problem that has been longstanding and controversial for anyone involved in the criminal justice system.

ASSISTED HOUSING

Ms Poole: My question is to the Minister of Housing on the Provincial Auditor's report. This year over \$500 million of the \$900 million of the ministry's budget will go to the building and subsidizing of non-profit and co-op housing—a healthy chunk, members will admit.

The Minister of Housing will be aware that the auditor's report was critical of the fact that those most in need were not necessarily the ones who received placement in non-profit housing. In a time of recession, when the demands for subsidized housing are increasing and when our limited government resources must be targeted to those most in need, the government is not enforcing funding agreements to ensure that tenants in deep need referred from local housing authorities are actually placed.

I would like to ask the minister when she will ensure that people across this province who are referred to non-profit and co-op housing by the local housing authorities actually receive the housing in those units that the province's taxpayers have paid for.

Hon Ms Gigantes: I believe the member is confusing two questions which the auditor addressed in his report, which I unfortunately have not had an opportunity to read yet. I look forward to reading it. But as I understand it, he addressed the question of the sharing of lists for placement by co-ops and non-profit groups and also the question of whether the core need was being addressed by non-profit and co-op housing developments in Ontario.

As for the latter, about 72% of those who are finding housing in co-ops and non-profit developments in Ontario

currently are rent-geared-to-income tenants, which means those developments are meeting a very large need among people who need assisted housing. That is the goal and it is largely being met. We have to decide what levels we want to have in terms of rent-geared-to-income housing within co-ops and non-profits. As the honourable member knows, this question is being addressed in the housing policy framework review.

1450

Ms Poole: I really find it quite ironic that the minister tells me I am confused and then goes on to admit she has not even read the Provincial Auditor's report. I happen to have read it, so I know what is in it. I will quote for her two sections:

"In some cases, referrals by LHAs to non-profits and co-operative housing agencies are not done according to OHC's point system. That is, the most needy are not necessarily referred.

"Conflicts have occurred from non-profits using different selection criteria than the LHAs to place tenants. Non-profit housing corporations prefer to use their own selection criteria and select tenants from their own waiting list."

The minister has just said she is consulting with the housing policy framework report. It seems to me again ironic that she said she is consulting on it but she has already handed them the money. Would she please explain to me how the government can ensure that the people most in need of this housing will be given appropriate priority when she is negotiating the issue after she has already given them the funding?

Hon Ms Gigantes: The member knows full well the local housing authorities have a placement system which is entirely separate and different from those that have been used by co-ops and non-profits in this province for years. That was the policy of the previous government. We have indeed asked people in Ontario to give us their opinions on that. I do not know what the member is suggesting. Is she suggesting that in every co-op in this province all placements should be from the local housing authority lists? If she is, that represents a huge change in policy, and I would like her to elaborate on how she thinks that would fit in with neighbourhoods in this province.

ENERGY CONSERVATION

Mr Jordan: My question is for the Minister of Energy. About 10 days ago the minister informed me that if the people in the riding of Lanark-Renfrew did not want to participate in the \$7-million lightbulb sale they did not have to; he had another 129 ridings that did. I want to inform the minister that half the people in Lanark-Renfrew have received these bulbs and they wish to return them. The ones who have not received them would like to know how they can be excused from paying their share of the \$7 million.

Hon Mr Ferguson: I will try to share with the House what I think is perhaps a much better and brighter idea than has been traditionally used in the past. I am disappointed that half the residents of the member's riding do not want the lightbulbs and the other half do not want to

participate in the program. Quite frankly, the program has been well received across Ontario. People are extremely pleased with the program. In fact, on a daily basis my office is getting calls asking for more bulbs. They are asking for six-packs at this point. It all goes to a good cause.

Mr Jordan: The people in Lanark-Renfrew are still going by the minister's statement that they do not have to participate, and naturally will not have to pay their share of the \$7 million. My supplementary is, why, with the unemployment situation in Ontario, were these bulbs manufactured in Quebec?

Hon Mr Ferguson: I fail to understand why the member opposite seems to be so dimwitted about this program. I cannot understand it. The reason the bulbs were manufactured in Quebec is because there has been a real failure of past governments to recognize that this is an emerging technology, this is the cutting edge of the future, and this government is committed to ensure that jobs—

Interjections.

The Speaker: Order. Will the member take his seat.

Interjections.

The Speaker: Minister, would you succinctly complete your response, please.

Hon Mr Ferguson: In conclusion, I would like to inform the member that Quebec is part of Canada. We buy goods from that province and it buys goods from this province.

1500

LONG-TERM CARE

Mr Dadamo: I have a question for the Minister of Health. In light of the financial constraints on the province today, can she assure the citizens of Windsor that the long-term care facility for the city of Windsor which was promised by the past two governments over the many years is on track? The constituents of Windsor-Sandwich are eager to hear her response to this question.

Hon Ms Lankin: I think I have had this question put to me more often than any other. Let me yet again assure the folks in Windsor and all the members for the Windsor area that planning is on track, that the support for the long-term care facility continues and that it will be developed.

I think perhaps some of the concern that has been raised of late is as a result of the report that has gone out to consultation from the district health council and the hospitals in that community that has talked about the number of acute care beds that need to be taken out of the system and the possible amalgamation of hospitals. In fact, in my meeting with that group, the representatives of the hospital—

Interjection.

The Speaker: The member for Burlington South, please come to order.

Hon Ms Lankin: In my conversation with the folks from the district health council and the hospitals in the Windsor area, they made it quite clear that the review they had done was premised on the basis that the long-term care redevelopment would continue, and that is in fact our understanding and agreement at this time.

Mr Dadamo: What impact, if any, will the Comprehensive Health System Planning Commission have on the delivery of health care in southwestern Ontario?

Hon Ms Lankin: Mr Speaker, I am sorry, I could not hear all of the question because of some of the noise from across the floor, but I think the member asked for the connection between this and the comprehensive task force planning that had gone on. With respect to that report, which is often referred to as the Orser commission, as many members will know, an interim report has been released and it has gone out for consultation across the community, and we hope we will be receiving the final report in the near future. There is a blueprint for hospital expenditures that will be contained within that for the whole southwestern Ontario region, but how each community relates to that and the way in which those recommendations are embraced or moved on I think will remain to be seen. But I do not expect at all that it will disrupt our plans for the long-term care facility, which I think is the main question.

Mr Miclash: On a point of privilege, Mr Speaker: On November 5, 1991, I directed a similar question to the Minister of Health with regard to a very important issue on long-term care in the town of Dryden and the establishment of a home there. The minister assured me she would take another look at it and get back to me with an answer. At this time, three weeks later, I have still not heard from the Minister of Health on a similar issue, a very important issue to the people of Dryden, my constituents in the riding of Kenora.

The Speaker: The member for Kenora does not have a point of privilege, although it is obviously a policy question which he may wish to place during question period.

MOTIONS

CONSIDERATION OF BILLS

Mr Cooke moved that standing order 85 respecting notice of committee hearings be suspended for the considerations of Bills Pr53, Pr81, Pr85, Pr86 and Pr99 by the standing committee on regulations and private bills on Wednesday, November 27, 1991.

Motion agreed to.

PETITIONS

LONG-TERM CARE

Mrs MacKinnon: I wish to present a petition representing members from the riding of Lambton county dealing with the Ontario Nursing Home Association and long-term care.

INTRODUCTION OF BILLS

DISTRICTS OF NIPISSING AND PARRY SOUND ACT, 1991 LOI DE 1991 SUR LES DISTRICTS DE NIPISSING ET DE PARRY SOUND

Mr Eves moved first reading of Bill 159, An Act respecting the Amalgamation of Municipalities in the Districts of Nipissing and Parry Sound / Projet de loi 159,

Loi concernant la fusion des municipalités situées dans les districts de Nipissing et de Parry Sound.

Motion agreed to.

Mr Eves: The purpose of this bill is to prevent the amalgamation of municipalities in the districts of Nipissing and Parry Sound if the municipalities themselves do not consent, where they have organized government or a local services board or, failing that, by the majority of residents in an unorganized municipality. Members may recall that I introduced this bill a couple of weeks ago. It has now been translated and cleaned up by legislative counsel, I might add.

Mr Scott: May I request unanimous consent of the House to revert to motions?

Agreed to.

NOTICE OF MOTION

Mr Scott: Under the rules, I have to give notice of a motion which will be brought tomorrow to ask the House unanimously to reappoint the honourable member for Lincoln as Chairman of the standing committee on finance and economic affairs.

INTRODUCTION OF BILLS

WORKERS' COMPENSATION AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT LA LOI SUR LES ACCIDENTS DU TRAVAIL

Mr Mammoliti moved first reading of Bill 160, An Act to amend the Worker's Compensation Act / Projet de loi 160, Loi modifiant la Loi sur les accidents du travail.

Mr Mammoliti: Today I would like to introduce my private member's bill, An Act to amend the Workers' Compensation Act. Its purpose is to extend the January 2, 1992, deadline of subsection 5a(9) to facilitate more discussion between labour and employees, something that is truly needed.

Motion agreed to.

1510

ORDERS OF THE DAY

WASTE MANAGEMENT ACT, 1991

LOI DE 1991 SUR LA GESTION DES DÉCHETS

Resuming the adjourned debate on the motion for second reading of Bill 143, An Act respecting the Management of Waste in the Greater Toronto Area and to amend the Environmental Protection Act / Projet de loi 143, Loi concernant la gestion des déchets dans la région du grand Toronto et modifiant la Loi sur la protection de l'environnement.

The Speaker: I believe the member for Oriole has the floor.

Mrs Caplan: Thank you very much, Mr Speaker. I am pleased to be able to continue the debate today. As I said yesterday, I have quite a number of concerns about this particular piece of legislation, Bill 143, and I would like to take some time because I know my constituents in the riding of Oriole have the same concerns as members of the public from right across this province.

One of the big concerns they have is not only for protection of the environment, which is something I think we all share. Every member of this House speaks forcefully and with passion about our commitment individually and our desire collectively to protect the environment for future generations. But we also believe it is extremely important that the people of this province have an opportunity to participate fully in the debates and discussions, that their rights are protected so they can, with confidence, know that what is happening in their communities is environmentally safe, is environmentally sound and is in the public interest and the interest of their community.

Many things have happened over the last 15 months which have caused great concern to me and to my constituents in the riding of Oriole, and I have had a number of people mention this to me. I think it is important that we take a bit of historical perspective on Bill 143 so that we fully understand where we are today and why there is such concern about this piece of legislation.

I said yesterday that this was a piece of legislation that is being tabled not by the Minister of the Environment but by the minister responsible for the greater Toronto area. One of the things I said was that the reason I believe this is not being carried by the Minister of the Environment is that any Minister of the Environment would be embarrassed to bring forward a piece of legislation that so removes the rights of citizens of this province, of municipalities, to have a say in what is happening in their backyards, in their communities. Any Minister of the Environment would be really concerned about the precedent-setting nature of this piece of legislation.

Bill 143 is An Act respecting the Management of Waste in the Greater Toronto Area and to amend the Environmental Protection Act, and it has four distinct sections. I will be spending some time looking at each of those sections individually, but what I would like to do for a minute, just to put it into proper perspective, is to begin by looking backwards, because I think it is important to understand how we arrived at this place and why I have so many concerns about this piece of legislation.

As we know, the government changed in September 1990, and one of the first things the new Minister of the Environment did was to stop an Environmental Protection Act process that was looking at some interim sites. Even before that, during the election campaign of the summer of 1990, the Premier, who is here today, then Leader of the Opposition, went to every potential site for waste disposal, pretty much in every community across this province, and made a very clear commitment. His commitment was that there would be no new sites developed and no expansion of existing sites without a full environmental assessment process.

There is much confusion in the minds of people of this province, given the numbers of different pieces of legislation. Most people do not know the difference between the Environmental Protection Act and the Environmental Assessment Act. They do not understand that both are designed to provide for environmental protections and environmental assessments.

One of the fundamental differences between the two pieces of legislation is that the Environmental Protection Act allows for a site-specific examination to determine whether that particular site is environmentally sound for the purposes that are being proposed, whether it is landfill or anything else. It permits under that piece of legislation and requires under that legislation a full and complete examination of the environmental impact on that site, and permits and it requires full, open, public hearings so that the public in the immediate area of that proposed site can come forward to hear the evidence being presented about the suitability of that site for whatever the intended purpose is, whether it is landfill or anything else. If it is a hearing under the Environmental Protection Act, people, ordinary citizens who are interested, groups, municipalities, anyone who wishes, can attend the hearings, hear the evidence that is being presented and then make representation and let those who are making the assessment under the Environmental Protection Act very aware of the community's concerns. That is the Environmental Protection Act.

The difference between that and the Environmental Assessment Act is that the Environmental Assessment Act requires a look at alternatives rather than looking only at that one specific proposal, some would say in isolation of everything else. The Environmental Assessment Act requires a broader examination of all the alternatives, of other alternatives, to determine which would be the most environmentally safe. So the Environmental Assessment Act requires a full examination: a full identification of alternative sites, a full examination of those sites and then a comparison to determine which is the most appropriate, which is the safest, which is the best environmentally. I think everyone would agree that this is a very significant difference from the Environmental Protection Act.

The Environmental Assessment Act also has a requirement for full and open public hearings on each of the alternatives that are being proposed. The Environmental Assessment Act permits individuals, groups, organizations, associations and municipalities to come forward and make their representations and express their concerns, as well as hearing the evidence that is being presented.

I think it is important to explain the difference because, when the minister stands in her place and makes some of the kinds of statements we have heard over the last 15 months, people—particularly my constituents, but they are no different than other people across this whole province—become very confused. We know there were sites proposed for an interim landfill that were undergoing public hearings under the Environmental Protection Act.

The minister had neglected to say that. When she says that sites were going to be considered without a full Environmental Assessment Act hearing, she is correct. But the presumption and the assumption and the message she is sending out is quite inaccurate and incorrect, because she knows full well that there were hearings ongoing under the Environmental Protection Act to ensure that those sites met the environmental standards requirement; if they did not, they would not have been permitted.

The action she took shortly after becoming Minister of the Environment stopped that process under the Environmental Protection Act and did not replace it with anything. In November—only two months, actually, after her appointment, two months after the change of government—the minister made her first statement in the Legislature. She revealed her consumer action plan. What she really did at that time was restate the policy of the 3Rs, which, as I said yesterday, was the policy of the former government, the policy of the member for St Catharines, of whom she was so critical. The only big change was that she reordered the 3Rs and put reduction, then reuse and then recycle as her priorities.

That was in November 1990. She announced at that time that she would establish a public sector authority that would be finding long-term solutions to the waste management crisis in the GTA, and that the waste management authority was to be set up—she referred to it as an Interim Waste Authority—to begin co-ordination of a long-term site search. It was not until October 1991, almost a full year later, eleven months later, that legislation was introduced to give this Interim Waste Authority its mandate.

1520

People have a legitimate concern about what took so long. What was the minister doing during that full year when she could have established the waste authority? In her November 1990 statement, which was a year ago, the minister made statements indicating that there would be no garbage gap in the greater Toronto area because her waste reduction regulations were going to be so effective that she was sure people in the greater Toronto area would be successful in diverting enough waste from landfill so the lifespan of the current landfill sites would be sufficient and adequate until long-term sites were found and approved.

We know today that she does not believe that to be true. However, there are a lot of questions about the capacity that exists within the existing landfill sites. It is not only the success of the 3R programs that were begun by the previous government under the excellent leadership of the member for St Catharines but also, I think, the impact of the recession that has meant less waste going to landfill. Unfortunately, we have seen tremendous cross-border shipping of waste, garbage which is being diverted to the United States, partially because it is lower-cost, but that has also meant less waste going to the existing landfill sites in the greater Toronto area.

Some have questioned the need for this draconian, autocratic approach, and some have suggested there is no urgency to this legislation at all. Some—the most cynical, and I think they have good reason to be cynical—have suggested that the timing of this legislation coincided with—I do not want to use the word—

Hon Mr Rae: Then don't.

Mrs Caplan: The Premier is reading my mind. He knows what I am thinking and he knows that when I am cynical, it is with good cause. Some would say the timing of this legislation coincided deliberately with the elections of the municipal councils. This legislation was tabled a few days before the elections, just before those municipal

councils were actually elected and before any of those municipal leaders had an opportunity to be consulted or be fully aware of what was being proposed. Some would suggest that the fact that it was tabled on a Thursday afternoon without a minister's statement in this Legislature, a few days before the municipal elections, was no coincidence at all; that it was designed deliberately to low-bridge one of the most significant pieces of environmental legislation to hit this Legislature, I would suggest, in decades.

The precedent-setting nature of this legislation cannot be overlooked. The government had it tabled just before the municipal elections with a demand by the minister that this receive third reading by Christmas. It was tabled on October 24 and the minister has requested that it receive second reading, committee hearings and third reading passage within a matter of weeks. We will be looking at each section of that legislation and the concerns being expressed.

We have municipal councils taking their oath of office on December 1, in the first week of December. To suggest that those councils could properly and adequately respond to public hearings in the first week of December raises the kind of concern and cynicism I have been talking about in this House for a long time. The message it sends to elected representatives at the municipal level and to the people of this province, particularly in the greater Toronto area—as it becomes known what this is really about, I suggest the government will have concerns from people right across this province.

Back to the historical perspective: In December 1990 the Minister of the Environment announced that a task force would look at the drafting of an environmental bill of rights, despite the fact that she had drafted and introduced a bill while in opposition. I can understand that one's perspective from opposition is a little different than one's perspective when in government. Having experienced both, I think it is very important for members of the public to know that members of the New Democratic Party are finding, I think much to their own chagrin, that the simplistic, easy answers they often proposed while in opposition are not working in government. They are simply not practical and they are not working.

Mr Grandmaitre: They are not logical, either.

Mrs Caplan: They are not logical, as my colleague the member for Ottawa East says. I agree with him. The simple, quick, easy answers the member for Etobicoke-Rexdale seemed to have, whether it was an environmental bill of rights or any of the other simple answers to difficult problems and challenges facing our society simply are not practical, are not logical, are not workable and are not supportable. We find many of those still contained in the rhetoric and the doctrinaire response coming from members of this NDP government.

People would like to see an environmental bill of rights. I believe the existing package, this piece of legislation, Bill 143, would have to override any environmental bill of rights, because the content of this legislation, which overrides every piece of environmental and planning legislation in this province, takes away the fundamental rights

of the citizens of this province. It runs completely contrary to the principles of an environmental bill of rights or any bill of rights. It runs totally contrary to participatory democracy. It runs totally contrary to the principles enshrined in the Environmental Protection Act, which many had seen as inadequate, particularly many on the NDP front bench when they were in opposition, because it only required an assessment of an individual site.

The Environmental Protection Act did require that it be fully assessed, but it did not require comparison. It did require full and open public hearings. It did require engineering studies to be made public and available for public comment. This piece of legislation requires none of the safeguards of the Environmental Protection Act and overrides the protections of the Environmental Protection Act and every protection that communities have to ensure that what is being done in their community is proper, safe, good planning and environmentally sound. It takes away their right to speak out in a public forum about that which is happening in their own community.

1530

In February 1991, the Minister of the Environment addressed the eastern Ontario mayors, wardens and reeves conference. She announced her waste reduction action plan, which outlined the regulations she would be bringing forward to ensure that Ontario achieved the Liberal government's target of 25% diversion by 1992. We believed that 25% was a reasonable goal and target by 1992.

In opposition, the Minister of the Environment and her colleagues felt this was inadequate, and yet in February 1991, six months after the election, she committed herself to that same Liberal target and goal of 25% diversion, and we applauded that.

We said she was aiming her plan in the right direction. It was aimed at municipalities to encourage them to establish recycling programs and municipal composting facilities. She said these would be mandatory in all municipalities. I am not one who believes everything the government does should be mandatory and should require enforcement, but in this particular case I believe the approach for a waste reduction action plan which included all municipalities and allowed them to develop their plans and mandated that kind of an action plan was appropriate.

But it was from February until October, an additional eight months, until it was finally announced that there was a draft regulation for consultation under the waste reduction action plan. After being so supportive in February, we had to wait until October, and then there was consultation.

The minister also announced in April 1991 that the search for the long-term landfill sites for the GTA would have to be conducted within the boundaries of the regions. That was a very significant announcement and it really paved the way for Bill 143.

When I say it was significant, it was significant because Metropolitan Toronto had been actively seeking a solution. They knew whatever agreement they reached would be subject to the Environmental Assessment Act. Members will remember that a few minutes ago I said the Environmental Assessment Act required comparative analysis of numerous sites to determine which approach was

the most environmentally sound. That is important because it is different from the Environmental Protection Act, which only requires assessment of a specific single site.

As an option, and I think it is important to stress that it was an option to be considered, Metropolitan Toronto was negotiating with the community of Kirkland Lake in northern Ontario for a plan that would have seen the development of a new industry, turning garbage into jobs and an old abandoned mine shaft into a site for solid waste.

The announcement in April 1991 killed the Kirkland Lake discussions, killed even the opportunity to examine that as an option under a full environmental assessment hearing. We know that during the recent municipal election there was a referendum on the ballot in Kirkland Lake and it was clear.

Nobody was saying: "Are you in favour of having this dump site? Are you in favour of this plan, yes or no?" That is not what the question was. The question was, "Do you support an examination of this as an option and a full Environmental Assessment Act process and hearing on this proposal?" That is what the question was: "Should this be considered?" Some 70% of the people who responded said yes, it should be considered as an option; yes, the studies should be done to determine whether or not this was an appropriate, environmentally safe option and whether this was a better option than any of the other sites and options that were being proposed within the greater Toronto area.

My constituents in the riding of Oriole put their garbage out or put it down the garbage chute, and it is picked up by North York works department and hauled away. My constituents do not know whether that garbage goes to Beare Road, Keele Valley, Britannia; they did not know if it was going to the Commissioners Road incinerator. All they knew is that their garbage is being taken away.

My constituents do not consider their backyard to be Vaughan. They do not consider their backyard to be Mississauga or Scarborough or the city of Toronto and yet, when the minister has made statements that you have to keep your garbage in your own backyard, my constituents scratch their heads and say: "The greater Toronto area is the most densely populated part of our province; 40% of the population of the province lives within the greater Toronto area. Why is the minister insisting that we should have, and be forced to put, garbage sites in the most densely populated part of the province? Why would she not allow a site to be examined under the Environmental Assessment Act and considered in a part of the province where very few people live?"

"Surely," they say, "if the minister really is concerned about the best environmental option, the best and most sensitive response, she is not serious that everybody is expected to keep his garbage in his own backyard. She is not suggesting we turn our ravines and our valleys in the major urban areas into garbage sites."

Surely she is not suggesting she will designate where our backyard is. She told Kingston that its backyard was Ottawa. She is telling North York that its backyard is Vaughan. My constituents do not think Vaughan is their backyard. She could convince them Kirkland Lake is their backyard if that was the most environmentally sound and

sensitive thing to do or if that was the best environmental option for disposal of solid waste. My constituents want to know what the best answer and best approach are.

1540

The denial of the opportunity to assess that option is seen as arbitrary, doctrinaire and the same kind of simplistic rhetoric we heard when this minister and the New Democratic Party were in opposition. It has been almost a year and a half. In many areas we have seen policy changes and we wonder why the minister will not consider a more environmentally sound approach to finding the best option. It simply does not make sense that she would force and require existing landfill sites to expand without appropriate environmental hearings and that she would force and refuse considerations of options such as Kirkland Lake simply because of ideology—not after the commitments the Premier made in the summer of 1990 and not after the reputation the member for Etobicoke-Lakeshore earned as critic for Environment.

My constituents are telling me they simply do not believe the government is doing this. Part of the discussion on Bill 143 is to alert the public that the government is taking away the environmental protections and the environmental rights to hearings. They are taking them away on two specific sites: Keele Valley and Britannia. They are taking them away in Durham. The implications are that this sets a precedent for every community across this province.

It was in June 1991 that my colleague the member for Halton Centre revealed in this Legislature a copy of a cabinet document on how the government planned to deal with waste management, and in their terms, the waste management crisis they had created by their lack of action in a full year in office. I, for one, was particularly disappointed with the response from the Premier. He permitted the Ontario Provincial Police to investigate how the member for Halton Centre happened to receive this document.

Hon Mr Wildman: That's wrong.

Mrs Caplan: I said he allowed an OPP investigation to continue. The Premier continues today to say he is going to permit the Ontario Provincial Police to interrogate and investigate members if they happen to receive information about the government's intentions. I say to the Premier who is here today that I know he had reacted to similar suggestions of his rights being infringed upon if there had been a suggestion he could not receive documentation, information or communication from a member of the civil service. I can imagine what his reaction would have been as Leader of the Opposition to have the Ontario Provincial Police interrogate him about a leaked document he received. I believe the Minister of the Environment overreacted. I believe, in fact, that she betrayed her own principles in suggesting that somehow and in some way the public did not have a right to know what was being considered by this government.

It was a shameful day that the Premier would not intervene and say, "Members of this Legislature will not be investigated." This is the Premier who promised whistleblowing legislation that would encourage civil servants to

make the public aware. This is the Premier who supported, as I did, freedom-of-information legislation because the public has a right to know.

I was very disappointed with the response when the member for Halton Centre presented this plan. It was in June 1991 that the minister made a statement in this House, in response to the documents the member for Halton Centre made public, that she had a three-part strategy for the greater Toronto area, which I suggest is precedent-setting for every part of this province. The public should be aware and alerted to what is really happening.

The strategy called for lifts on the Britannia and Keele Valley sites so that they would accept additional waste over and above the capacity they were originally approved for. These lifts would be forced on the communities without any public hearings. She also called on Durham to build a transfer site, a transfer station, to prepare for the shipping of its waste to Keele Valley once Brock Road West closes in 1992.

All these actions that were contained in the document the member for Halton Centre presented had been done and all these actions had been implemented, without any consultation whatever with municipal officials. That was in June 1991, almost a full year, or 10 months, after this minister had said: "There's no problem. There's no garbage gap. We can stop the environmental protection hearings on the interim sites that were proposed by the former government." That was almost a year after the now Premier travelled around to every site in this province giving his word, making a commitment that there would be no expansion of existing sites without full environmental assessments. He gave his word, and we wonder why my constituents and the people of this province are cynical, why they do not believe and they do not like any politician very much.

Hon Mr Wildman: You are not cynical, surely.

Mrs Caplan: The Minister of Natural Resources says to me, surely I am not cynical. I will say to the minister, whom I have worked with over the course of the last six years and for whom I have respect that yes, I am cynical. I am cynical when I see a piece of legislation that is a deception, because it says one thing and it does another.

This piece of legislation packages together some of the most draconian measures to deal with a so-called problem. I have to say that I am not sure there is a problem as severe as the Minister of the Environment is suggesting. I am not sure there is that problem. The people I am speaking to in the greater Toronto area are saying that the crisis can be responded to in better ways. The reason is that there is more capacity available in the existing landfill sites than had been predicted.

Because of that information, I would say to the Minister of Natural Resources that I am very concerned about the rush on this piece of legislation. The estimates now for Keele Valley are that it could be 1996 before it reaches capacity. There are suggestions that the Brock Road site and the Britannia landfill site may not reach capacity as originally anticipated. Yet it was in August 1991 that the minister issued her order to Peel region and Metropolitan

Toronto to begin the studies required to prepare for the lifts for those two landfill sites.

1550

The rest of this chronology is equally important. In October 1991 the Minister of the Environment announced a second task force to examine the drafting of yet another proposed environmental bill of rights. Many of us questioned the need for yet a second task force, but now I am beginning to understand why the second task force. Can members imagine the embarrassment of a Minister of the Environment to have to table a piece of environmental legislation at the beginning of October and then override it with a piece of legislation at the end of October? That is what would have happened.

So the environmental bill of rights was put off until some time in the future and in its place a piece of legislation, Bill 143, was tabled not by the Minister of the Environment but by the minister responsible for the greater Toronto area. That titling suggests that this piece of legislation will only affect the greater Toronto area, but that is not true. We will get to that in a moment.

On October 7, at the Recycling Council of Ontario's annual meeting with the minister, she released her draft waste reduction regulations and said there would be a two-month consultation. On October 24, Bill 143 was tabled in the House, and here we are today.

I felt this history was important because it sets the context for a piece of legislation that has raised concerns right across this province. I am not suggesting there are not problems—there are. I am not sure they have reached crisis proportions, but if they have it is because of almost 14 months of inaction by this minister, and when she finally does take action it is the kind of action which I believe should cause concerns and ring alarm bells right across this province.

I am going to refer to an editorial that I think sums up very well the box and the bind that we find ourselves in. It is a timely editorial, because it was printed in the Toronto Star just about a month before Bill 143 was tabled. If you will indulge me, Mr Speaker, it is very relevant.

The title of the editorial is "Gagging on Garbage."

"A baffling Queen's Park strategy for waste disposal is making Metro's garbage crisis worse, not better.

"High fees and new restrictions at local dumps are forcing companies to send their trash to the United States.

"A growing number of businesses are dumping or burning their waste illegally here at home.

"And now, politicians in Peel region say they will close the Britannia dump this year in defiance of a provincial order that it be kept open on an emergency basis.

"The trouble started last fall when Environment Minister Ruth Grier blocked Metro's plans to open two temporary dumps. Predictably, that put a tighter squeeze on existing ones that are rapidly running out of room.

"Last winter, she nixed Metro's long-term plans to send garbage to northern Ontario, adding to the uncertainty.

"Early this year, Grier admitted that a new long-term dump within the greater Toronto area may not be ready by the time the existing ones are full. But by then, her only option was to order the existing dumps to keep accepting

garbage long after they are full—and without going through proper environmental procedures.

"Peel council's decision Thursday night to defy Grier has only raised the stakes.

"In light of such bungling, it's no wonder Grier has been turning a blind eye to the estimated 500,000 tonnes of local garbage that are being dumped south of the border. And it may explain why she has not beefed up enforcement measures to deter illegal dumping and burning of garbage.

"Meanwhile, the bustling cross-border garbage trade is costing Metro-area municipalities \$36 million to \$60 million a year in lost disposal revenues.

"Clearly, the minister has painted herself into a corner."

That is the Toronto Star editorial of September 16, 1991. It is very relevant to our discussions on Bill 143, because approximately five weeks after this editorial, this is the piece of legislation that was tabled by the member for Etobicoke-Lakeshore.

I mentioned the timing, and I believe that is very important. Yesterday in this House I shared a letter I received from the mayor of Vaughan. I think the response from the representatives of local municipalities and regional governments in the greater Toronto area is a very important one, as well as the response from the people of Kirkland Lake. I think it is very important that I share with the House the reactions.

Let me tell members what the reaction is from the president of the Association of Municipalities of Ontario. For those who do not know, AMO is the umbrella organization which represents municipalities right across this province. While Bill 143 refers to the greater Toronto area, Helen Cooper, who is the mayor of Kingston and president of the Association of Municipalities of Ontario, is very aware of the precedent-setting nature of this legislation. She wrote to the minister on November 1, 1991. Remember, this legislation was tabled October 24, and within one week, this is the letter and this is the response from the Association of Municipalities of Ontario.

"Dear Minister:

"The Association of Municipalities of Ontario, AMO, and its member municipalities are gravely concerned about the Waste Management Act, 1991, which you introduced in the Ontario Legislature on Thursday, October 24, 1991.

"Although the first sections of the act pertain to municipalities in the greater Toronto area, they have serious implications for other municipalities across the province. The final section of the act has very far-reaching implications for municipal waste management in Ontario's municipalities. Together the various sections of the act have left municipalities across the province extremely concerned about such critical issues as municipal authority, municipal finance and environmental assessment and the manner in which your new act may impact on these municipalities.

"While some sections of the act may be supportable by municipalities, many others need much more detailed consideration and consultation. After considerable consultations with staff members of the Ministry of Municipal Affairs and the Ministry of the Environment, as well as municipal politicians and staff members across the province,

AMO strongly urges you not to proceed with the legislation until extensive consultations on it can take place with municipalities.

"AMO and its member municipalities believe this is very critical in light of the scope of your new act and we urge you to immediately take steps to both halt the legislation and consult with municipalities on its content."

1600

This is signed by Helen Cooper, president of the Association of Municipalities of Ontario.

I know Helen Cooper. She is a reasonable, thoughtful, rational person. She has provided leadership in the municipality of Kingston as the mayor and she has provided leadership within the Association of Municipalities of Ontario. She is highly respected.

What was the response from the Minister of the Environment? What was the response from the Minister of Municipal Affairs? What was the response from the Premier's government to the Association of Municipalities of Ontario? The response was, "We want third reading of this act by Christmas."

I would say to the Minister of Natural Resources, does he wonder why I am cynical? Does he wonder why AMO is cynical? Does he wonder why the people of my riding of Oriole are feeling concerned and cynical and upset? Does he wonder why the people of the greater Toronto area are saying, "What's going on?" Here is an organization of municipalities and their president responding within one week of the tabling of Bill 143 by saying: "Wow, this is not just affecting the greater Toronto area. This is going to have huge implications for municipalities right across this province. You can't hoodwink us. You can't do this without consultation and without discussion. You're taking away our rights. We're concerned about the environmental impacts. We're concerned about the precedents this is setting. We believe this is premature."

The response from the government? "It has to be passed by Christmas." That is an unacceptable response and this government is going to hear that. It is going to hear it from me, as the member for Oriole, and I am so proud to represent my constituents in this House. I think they are going to hear it from the leadership of every municipality across this province because we are going to insist on public hearings and we are going to insist that every section of this bill be fully explored and considered so that its implications are fully understood.

I am not saying there are not some parts of this bill that are supportable. There are. There are some very good parts of this legislation. But it has been bundled together in a way which is confusing, and in its confusion, it is very upsetting to the people of this province when they start to understand what this really means, because this legislation is not what it seems.

The response to this legislation was also very rapid from the community of Kirkland Lake. Here is a letter dated November 22. As I said, this legislation was tabled October 24. Less than one month later, this was the response from the community of Kirkland Lake in a letter from the mayor:

"Dear Mr Premier:

"Re: The Waste Management Act, 1991

"I am disappointed to see that your Minister of the Environment, Ruth Grier, is continuing her pursuit of policies that have no regard for the input of the people of Ontario.

"Your government's attempt to fast-track the proposed Waste Management Act, 1991, through the Legislature prior to Christmas is another attempt by Mrs Grier to ignore the people of Metro, Vaughan, Maple, York, Kirkland Lake, Englehart and Larder Lake, as well as associations like FONOM and AMO.

"On November 12, the residents of Kirkland Lake voted 69% in favour of having an environmental assessment carried out on the proposed Adams mine solid waste and recycling project. Our region developed this project with Metropolitan Toronto. Your minister, in an attempt to circumvent any discussion on this project over the past year, is refusing to acknowledge that a superior environmental solution may be available to the greater Toronto area, northern Ontario and the province.

"Mr Premier, this bill must be delayed. It must have hearings, it must be reviewed in committee and your government must listen. To pass this bill as it is written is a violation of the existing intent of the Environmental Assessment Act, which calls for the evaluation of all reasonable alternatives.

"For the first time, north and south are united in a common cause and this issue will not die. I respectfully request that you meet with Kirkland Lake, Englehart, Larder Lake and Metro prior to this bill being passed. Perhaps you will have the courtesy and the concern to review a true provincial partnership which has been created to solve these environmental issues.

"Your minister has ignored this issue for too long, and for your government to pass this bill at this time would be most regrettable."

That is signed by Joe Mavrinac, the mayor of Kirkland Lake.

This letter, as I said, was dated November 22, less than a month after the tabling of this legislation. What was the response of the Premier to the mayor of Kirkland Lake, to his request for a meeting? The response was, "This bill should be passed by December." Exactly the concern and the fast track that was being demanded by the member for Etobicoke-Lakeshore was the response from the Premier.

Mr Grandmaitre: "We'll do it and then we'll consult."

Mrs Caplan: "We'll do it. We're not going to talk about it. We're going to take away your rights. We're just going to do it."

One of the things that came to my attention, and it was interesting because it was on the very same day the mayor of Kirkland Lake sent his letter to the Premier, was an editorial in the Northern Daily News. I think it is important, because again, just as I read the editorial in the Toronto Star, it is important for members of this Legislature and for members of the general public to know what the response has been from across this province.

This is what the Northern Daily News had to say on November 22: "It's Time To Camp On The Doorsteps."

That was the headline. I see the Minister of Northern Development and Mines is here in the Legislature, and it quotes her in this article as saying:

"Any proposal with respect to moving garbage from the greater Toronto area to Kirkland Lake or anywhere else in northern Ontario would not be entertained, either by myself or by the Minister of the Environment or by this government."

That is a direct quote from the Minister of Northern Development and Mines reacting to a question in this House. It would not be entertained. It would not be considered. An environmental assessment would not be permitted to determine whether that is a better solution than putting garbage in the middle of the most densely populated part of the province.

The people of Oriole riding do not understand. They do not understand why, if it is okay to transport garbage from Kingston to Ottawa, if it is okay to ship garbage south of the border and if there is a community in northern Ontario saying, "Conduct an environmental assessment, see if this is an environmentally sound solution," it will not even be entertained.

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The Minister of the Environment said it is unthinkable. What is unthinkable? If it is a better solution for the environment, why is it unthinkable? Why would she insist on not even considering another alternative that would produce jobs? There is a community in northern Ontario saying it should be considered. My constituents do not understand it. I do not understand this ideological, doctrinaire approach. I agree that no community should be forced to take the garbage from another region or another community. That was the policy of our government. Our government said no community should be forced into that situation; we said that very clearly.

We also said that if there was a proposal that was acceptable to a community, it should be considered as an option and explored under a full Environmental Assessment Act process. I suggest to the Minister of the Environment that this is a reasonable, sound environmental approach. I can say very clearly that to dismiss the Kirkland Lake option without an environmental assessment, in my view, is irresponsible in the extreme. I believe this government will have to start listening because I suggest if that is a safer option and it is more environmentally sound, it should be considered.

Let me read this editorial.

Mrs Marland: On a point of order, Mr Speaker: I think the comments made by the member for Oriole on this very controversial legislation should have at least a quorum in attendance. I do not see a quorum at this time.

Clerk Assistant and Clerk of Journals: A quorum is present.

Interjections.

The Acting Speaker (Mr Villeneuve): Order, please. A quorum is present. The honourable member for Oriole has the floor.

Mrs Caplan: I am referring now to the editorial in the Northern Daily News of November 22. This is what they had to say:

"Open-minded, flexible, in touch with the people, 'Let's use waste as a resource'—the New Democratic Party used to believe in all these things. The NDP has become a rigid, mainstream, typical political party making arbitrary decisions regardless of the effects on the serfs of Ontario. Instead of sitting down across the table as hated enemies have done in the Middle East, the NDP has decided it will arbitrarily expand two landfills in southern Ontario without an assessment of the effects on the environment. All this is happening because Environment Minister Ruth Grier 'cannot conceive' of shipping garbage to 'remote communities' like Kirkland Lake.

"We can't conceive of such irrational decision-making. We can't conceive of such outright political posturing. We can't conceive of such blatant disregard for the environment. We can't conceive of the NDP doing this to Ontario. We can't conceive that Ruth Grier, Shelley Martel and Premier Bob Rae would ignore virtually everyone else who is responsible for disposing waste. We can't conceive that our provincial leaders aren't willing to sit down and take a look at the effects on the environment through an exhaustive process like the environmental assessment. We can't conceive the NDP is willing to simply dismiss Kirkland Lake's demonstrated willingness, through the results of a recent referendum, to listen to the proposal.

"The NDP's upper crust are obviously taking solace in the fact that it's difficult for Kirkland Lake residents to camp out on their doorstep. Kirkland Lake doesn't have the time to sit and wait out the NDP. It's time to take this issue past meetings in Queen's Park. It's time to embarrass the NDP into listening to us. That tactic has proven successful in the past. It's time someone did camp out on their doorstep."

The bottom line in this editorial asks, "Are you listening, Mayor Mavrinac?"

Here is a northern Ontario daily newspaper, speaking very clearly on behalf of the residents and community of Kirkland Lake, calling for a full environmental assessment of an option that could well be more environmentally safe, appropriate and sound than putting landfill into an area where 44% of the province's population is living.

This editorial is an important and strong message to the New Democratic government. It is clear the government is not listening. It is clear they have been driven by a doctrinaire approach that is not responding to the realities of environmental considerations and the concerns of the people of this province. I believe that when the people of this province examine Bill 143, they will realize the short-sighted nature of the action that has been taken by the Minister of the Environment, who is also the minister responsible for the greater Toronto area.

The response has been disappointing. I have another letter, dated yesterday. It is a memo from Notre Development Corp and it was sent to me. This is a concern of a business in North Bay to the response of the minister and the government in the tabling of Bill 143. The memo says:

"The Minister of Environment is conducting an 'end run' around the people of the GTA, York region, Metro and the province by 'jamming through her waste management bill before Christmas.' At site search meetings held by the Interim Waste Authority in York and Metro on September 17, 19, 21, 24, 26 and 28, the staff clearly told all participants that it was their schedule to announce the 'long list of sites for new landfills by November.' They also stated that this time frame was necessary in order to meet their schedule."

A schedule of time study was attached to this letter that was sent to me.

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"The announcement [of the long list of sites] has now been postponed. The minister is trying to fast-track the waste management bill 'before announcing the sites.' The minister is clearly interfering with the Interim Waste Authority, an organization which is supposed to be independent of Mrs Grier's ministry.

"Mrs Grier is guilty of manipulation and giving misinformation to the public. It is the minister's intent to put into law an act which the residents of Maple, York, Metro, northern Ontario and the entire province will not stand for if the details are made known.

"I attach an overview of the environmental aspects and benefits of the proposed 'rail haul option' to the province, to the GTA and to northern Ontario. These details can all be substantiated in depth.

"This bill must be sent to committee and changed. The minister is manipulating the process of environmental assessment, using the Interim Waste Authority and refusing to evaluate acceptable options for the GTA solid waste.

"Mrs Grier cannot substantiate her position under scrutiny. Your efforts to block this bill from passing before the Legislature adjourns are very important to the province."

This letter is signed by Mr Gordon McGuinty, president of Notre Development Corp. I received this yesterday and I believe it is an important part of this debate, because part of what we are attempting to do is alert the people of this province to the concerns that have been expressed, not just by the people in the greater Toronto area, not just by Mayor McCallion in Peel, who is outraged, not just by Mayor Jackson, whose letter I read yesterday, not just by Gary Herrema, the chairman of Durham region, who I will be quoting in a few minutes, but by people in northern Ontario, eastern Ontario and the president of the Association of Municipalities of Ontario. As more people are alerted to what this legislation really is about, they are not only cynical, they are outraged. They are outraged that this government would have the audacity to table this legislation on October 24 and demand passage, third reading, by Christmas, before the House rises.

The people of northern Ontario have many ways of making known their disappointment—the letter from the mayor of Kirkland Lake, the editorial in the newspaper—and I know for a fact they are aware they can contact their MPPs. I know as well that the Minister of Northern Development and Mines, a minister from the Sudbury area, and the Treasurer would be influenced if the people of northern Ontario let them know how they were feeling, because part

of this democratic process is the opportunity for the public to be heard. Bill 143 takes that right away. It takes away the right of citizens to be heard at environmental hearings. It changes and sets a precedent for environmental protection in the development of new sites that I believe concerns and should concern people in communities right across this province.

I would like, if I could, to just take a look at the bill for a moment and look at it section by section so the people who are watching this debate will know why I am so concerned on behalf of my constituents and why words such as "draconian," "autocratic," "doctrinaire," "precedent-setting" and "bureaucratic" are all being used to describe this legislation by knowledgeable and thoughtful people who have had a chance to scrutinize Bill 143.

I would stress, as I begin looking at this piece of legislation, that what is needed in the greater Toronto area is co-operation, not alienation. This piece of legislation sets a precedent within the greater Toronto area not just in the area of waste management, but in the approach this government will be taking to problem-solving. There are many issues and many problems to be resolved in the greater Toronto area, and the approach they have taken will not foster co-operation. The approach they have taken will not bring all of the municipalities in the greater Toronto area together to work with each other.

Before I begin looking at each part of the bill, there is one other response that I think is very significant, and I would like to share this editorial from the Mississauga News dated November 13, just last week.

The headline says: "NDP Garbage Law 'Back Door' Policy: MPP—New Legislation Would Allow More Trash Without Hearing." When I say that this legislation will foster alienation, mistrust and cynicism, this editorial speaks louder and clearer than anyone could imagine. It says:

"The Ontario NDP government is practising 'back door politics' in its introduction of new legislation which will allow more garbage to be dumped in the Britannia landfill site without any hearings, says a Mississauga MPP.

"Mississauga North opposition MPP Steven Offer says he was surprised at how Environment minister Ruth Grier introduced her Waste Management Act, 1991, which has major consequences for dealing with the garbage crisis in Peel. Offer was sitting in his Queen's Park office watching proceedings in the House when Grier introduced Bill 143 at the very end of question period.

"If it was unparliamentary to whisper the introduction of bills, then she could have been thrown out,' Offer joked of Grier's announcement. He suggested the low-key approach of the bill 'is just back-door politics at its worst.'

"The Liberal Labour critic claimed Grier 'knows her activities with regard to the Britannia site are wrong' and suggested that is why she has categorically refused to meet with concerned residents. The dump was scheduled to close after 12 years of operation under an agreement between the city of Mississauga and the region of Peel but Grier has ordered it to stay open.

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"One of the provisions of the new legislation allows Ontario to 'override' any such legal agreements to provide for additional usage of Britannia." That is extremely important. "The bill also legally establishes the Interim Waste Authority Grier has set up to find a new long-term landfill site for Peel. It requires the body to conform to Grier's earlier announcements banning incineration of garbage or transportation of garbage from the greater Toronto area outside its boundaries for disposal.

"A press release from the ministry says the legislation also addresses the short-term disposal crisis for regions such as Peel by removing any legal impediments to conforming with the minister's orders to dump more garbage at existing landfill sites. Offer says the legislation flies in the face of NDP campaign promises that dumps would not be established or expanded without thorough environmental reviews. The law would not require alternatives to be looked at. 'Other sites may be better environmentally, but they don't have to be considered,' he remarked.

"At their most recent regional council meeting, local politicians sharply criticized Bill 143. 'We might as well declare bankruptcy and get it over with,' remarked ward 2 councillor Pat Mullin. 'We're just a bunch of puppets here.'

"Chief administrative officer Michael Garrett said the bill has very serious implications for the region because Ontario 'can now direct every aspect of waste management' with Peel being forced to pay the bill. 'We're frustrated by the lack of consultation. We are frustrated by the lack of consultation,' said Garrett, who also remarked that those that drafted the legislation may not be aware of the import of some of its language. There is not even a guarantee that the bill will be referred to a standing committee of the Legislature for review, which would at least give Peel a chance to present its views.

"Mayor Hazel McCallion said Ontario wants to control waste management decisions 'and bill us. They'll have complete responsibility but the cost will be in our hands,' she added.

"'Mrs Grier has gotten herself in such a mess, she has to become a dictator,' remarked McCallion. 'We are just being shafted left, right and centre.'" This is the response from Mayor McCallion of Mississauga to this piece of legislation.

Many are very concerned about what this legislation will cost, not only in terms of the environment but also in terms of taxes on municipal property taxpayers. Not only are they concerned about what the cost will be within the greater Toronto area; they are concerned about the implications and the costs, human, financial and economic, right across this province.

Part I of the legislation continues the Interim Waste Authority. What is interesting is that this authority has the power to expropriate land for the purpose of establishing landfill and also is given the power to enter on land and carry out its inspections.

This is one part of the act that I believe is a little deceptive. It is given the name of Interim Waste Authority. However, I predict that once established it will not be in-

terim at all, because this authority is going to have responsibility for the disposal of waste. The prediction is that these sites will be for the next 20 years. Why would the government call a crown corporation "interim" when it knows it is going to be around for the next 20 years?

When I said this bill was deceptive, part I is the first deception. If this government is going to do this, it should at least be honest with the people. They should call it the Waste Authority. If they want to give it a fancy name, they should give it a fancy name, but they should not say it is interim. There is nothing interim about this authority.

Part II of the bill applies to three specific landfill waste disposal sites and it specifies what the environmental assessments respecting each of the sites will require. The explanatory note says:

"One site is to be located in each of the regional municipalities of Peel and Durham and the third is to be located in the regional municipality of York or in the municipality of Metropolitan Toronto or partially in both. The primary function of the sites will be the disposal of waste generated in the respective municipalities over a period of at least 20 years. The Interim Waste Authority Ltd, which is responsible for the sites, is required to use certain waste diversion information provided by the Minister of the Environment in estimating the needed landfill capacity."

This is what is the most offensive and I believe the most significant component of part II: "Environmental assessments for the sites will not be required to contain discussion of any alternatives to the landfill waste disposal sites other than certain alternatives involving waste reduction, reuse, recycling and other single sites."

Under part II of this piece of legislation: "Policies may be established for purposes of this part by the minister." It is arbitrary and draconian: "Policies may be established for purposes of this part by the minister. These policies must be considered in preparing assessments and approving the sites." Arbitrarily the minister will make those decisions. That is part II of this bill, and I know that is of grave concern to the people of Peel, York and Durham.

It is of concern to my constituents in the riding of Oriole because Peel, York and Durham are municipalities of the greater Toronto area where a significant population is living. They are very concerned that the expansion of sites in Peel and York without proper environmental assessment breaks faith with the communities where those sites were established some time ago. At the time those sites were established people knew what the rules were. Now with a piece of legislation this minister and this NDP government are saying: "All bets are off. All rules out the window. We will arbitrarily decide what is going to happen."

"Part III of the bill requires the regional municipalities of Durham and Peel and the municipality of Metropolitan Toronto to implement reports made to the clerks of the municipalities under section 29 of the Environmental Protection Act. This requirement applies even if implementation would require a municipality to do something which would otherwise require the consent of another municipality or which would contravene a municipal bylaw or agreement or a statute or a regulation designated in the

regulations. The Environmental Assessment Act does not apply and Ontario Municipal Board approval is not required.

"A certificate of approval for a waste management system or disposal site may be issued or amended without requiring the Environmental Assessment Board to hold a hearing if the activity carried out with respect to the system or site is to enable a municipality to implement a report. The certificate may contain provisions overriding certain municipal agreements or conditions imposed by municipalities under certain statutes."

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I do not think members of the government caucus fully understand what part III really does. It says that before a certificate is issued, notice must be given, but:

"Subject to certain exemptions, if a person's land is injuriously affected by a waste management system or disposal site as a result of the implementation...but the land used for the site was not expropriated, the person is entitled to compensation for the injurious affection in the same way as if the municipality had expropriated...."

That is the extent of the protection offered.

I do not believe, as I said, that people are yet fully aware of just how this bill strips away the rights of the people of this province. What is really ironic is that this is the same Minister of the Environment who promised an environmental bill of rights, yet parts II and III of this legislation strip away rights, particularly and specifically from people surrounding Britannia and Keele Valley, at the same time as it sets a precedent for what could happen in other parts of the province.

I will just give members a couple of examples, and I am not exaggerating. As I read this legislation, part II of the bill is very clear when it says that it is absolutely not a requirement to hold a hearing. Under part II, "Waste Disposal Sites," the act requires that the sites be established, and in section 14 of Bill 143 is the following statement:

"(1) An environmental assessment for a landfill waste disposal site referred to in section 12 is not required to contain,

"(a) any description of, or statement of the rationale for, any alternative to the landfill waste disposal site other than"—reduction, reuse or recycling, or—"use of other...landfill waste disposal sites in the primary service area."

It is very, very clear in this section and in other sections of this legislation. For example, section 14 goes on to say:

"(2) The environmental assessment is not required to contain any description of or statement of the rationale for, or any description or evaluation of any matter relating to,

"(a) an alternative of waste reduction or reuse or recycling if that alternative would involve incineration of waste or the transportation of waste from the primary service area to any other area."

What that section says is that we cannot even look at the evidence or consider whether an incineration option is more environmentally safe. We cannot even consider or look at the Kirkland Lake option to see if it is better environmentally. This legislation says, "You cannot even consider it."

This legislation is not saying, "Let's find the best environmental solution."

Mr Cousens: Why didn't you guys do something about it? You had lots of time to do something and you did nothing.

Mrs Caplan: In response to my colleague the member for Markham, in fact he is absolutely wrong.

The Deputy Speaker: Order.

Mr Cousens: Mr Speaker, they did nothing and now they stand up and pontificate about it. That was a real problem. If only they would have some sense of history.

Mrs Caplan: The member for Markham is absolutely wrong. I am not going to dignify his interjections with a response.

Part III of this act says there shall be no hearings. This legislation is the implementation of minister's reports.

Hon Mr Wildman: Is this a filibuster?

Mrs Caplan: The Minister of Natural Resources, who is not in his seat, interjects and asks the question, "Is this a filibuster?" The answer is no. This is serious debate and discussion on a piece of legislation that the Minister of the Environment and the NDP government have tried to rush through this Legislature in a manner which is unbecoming not only of the Minister of Natural Resources but of this government and particularly of the Premier and his colleague the Minister of the Environment.

The reason I say it is unbecoming is that I think one of the reasons my constituents in the riding of Oriole and people around this province are not fully aware of the implications of this legislation is that while in opposition, the Minister of the Environment was quite the defender of environmental rights and environmental protection, and this bill does neither.

It takes away rights and it does not require the best environmental solutions. It does not require examination of the best environmental options. It precludes looking for the best solution. I have read articles and I have read letters into the record today and I can tell members that part of the problem is that the people cannot believe the New Democratic Party is doing this. They cannot believe that a New Democratic government is doing this. I know there are members on the back bench; it is time they woke up and realized what this is really doing and the implications this might have for their very own constituents.

I suggest that while this says this is legislation for the greater Toronto area, it is not. The precedent for this legislation could well affect Ottawa and Kingston. There are agreements there. Just as this legislation overrides the agreements that were made by people in Peel—

Hon Mr Hampton: Mr Speaker, isn't there a time limit on this?

Mrs Caplan: It is unbecoming for the Attorney General to sit in his seat and interject. I think the reason he is doing this is that he is ashamed of the environmental record and the display of this piece of legislation. He is ashamed. He knows full well that this legislation overrides every piece of environmental legislation and takes away the rights of my constituents. I believe he sees his role as

Attorney General as representing all the people of this province, and he should be concerned.

Part III, which deals with the implementation of ministers' reports, uses very strong language. It dictates—and that is why this bill is seen by some as dictatorial as well as draconian—to Durham, Peel and Metropolitan Toronto what they shall do. It requires those municipalities to comply. This is subsection 17(4):

“A regional or metropolitan municipality shall comply with this section even if to do so would require that the municipality,

“(a) use, maintain, operate, establish, alter, improve, enlarge or extend a waste management system or waste disposal site located in another municipality; or

“(b) dispose of waste generated in another municipality in a waste management system or waste disposal site that it owns, operates or controls.”

“(5) If”—this is extremely important—“in order to comply with this section, a regional or a metropolitan municipality is required to do anything for which a consent or other approval under the Municipal Act, the Regional Municipality of Durham Act, the Regional Municipality of Peel Act, the Regional Municipality of York Act or the Municipality of Metropolitan Toronto Act is necessary, that consent or approval shall be deemed to have been given.”

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In plain language, that means all of those acts I have just mentioned do not matter, that the municipal councils have had the authority taken away from them. The minister has imposed her will, has taken away the responsibility and the authority, yet still requires the municipalities to pay for the results. I know from discussions with, for example, the chairman of the Metro works committee, Councillor Joan King, that there are grave concerns about what the cost of this proposal is going to be.

This legislation, which removes the rights and requires municipalities to do the minister's bidding, also delegates power from the minister to a director. It also says—and here is one section where we are concerned about individuals' rights:

“(2) A certificate of approval or provisional certificate of approval for a waste management system or waste disposal site issued or amended to enable a municipality to comply with section 17 may contain terms,

“(a) overriding any provision applicable to the system or site that is contained in an agreement made under the Municipal Act, the Planning Act, 1983, the Regional Municipality of Durham Act, the Regional Municipality of Peel Act, the Regional Municipality of York Act, the Municipality of Metropolitan Toronto Act or any act designated under clause.”

What this legislation does is override any condition applicable to the system or site that is imposed by any piece of legislation, by any regional or municipal government.

I do not believe anyone fully understands the implications of this better than the minister responsible for the greater Toronto area, the Minister of the Environment.

What this says as well is that a municipality, including a metropolitan or regional municipality, is not entitled to

any compensation under section 19 of this act, which is the one that responds to injurious affection, and that may well have implications for taxpayers.

The part of this act that is probably most offensive is that there is a requirement under this legislation that there be no hearings. There is no requirement for public hearings; there is no requirement for the municipalities to allow the public to have their say—and it is not even for the municipalities to allow. They want to ensure the public have their say.

Section 18 says:

“Despite section 30 of the Environmental Protection Act, the director appointed for purposes of that section may issue or amend a certificate of approval or provisional certificate of approval for a waste management system or waste disposal site without requiring the Environmental Assessment Board to hold a hearing if the certificate is being issued or amended to enable a municipality to comply with section 17.”

I read section 17 earlier.

That requirement, I believe, is one of the most offensive requirements in this act. That the minister would be associated with a piece of legislation that overrides every piece of environmental legislation, every piece of planning legislation and overrides the Ontario Municipal Board would also suggest overrides every principle the minister ever stood for. I do not say that lightly. I know the present Minister of the Environment was very eloquent when she was in opposition and many of my constituents had very high hopes for the minister when she assumed the portfolio of Minister of the Environment. The level of disappointment, which I share, cannot be overstated. People do not believe the minister is doing this.

Frequently in this Legislature we criticize, we label, we engage in rhetoric, but I cannot stress too strongly that this legislation is not about “not in my backyard.” As I said, my constituents in the riding of Oriole know where their backyard is. They know their backyard is not in Mississauga and it is not in Vaughan. They do not understand why the minister would insist on taking away people's rights. They do not understand why she would insist on taking the kind of draconian, autocratic approach that she has brought forward with Bill 143, not after the work she had done in protecting the environment and speaking about protection of the environment when she was in opposition.

I know there are some people who say she has now donned the title of Queen of Garbage or Minister of Waste Minister of Garbage. I do not think those titles are becoming. I do not think we should really be getting into that kind of rhetoric. These issues are far too serious. They are serious because this debate has been on a level of ideology. This debate has taken us to a point where I think it is important that all members of this Legislature realize just exactly what is happening.

Bill 143 is an amalgam. It is packaged in a way to suggest that this is about enhancement and protection of the environment, when in fact it is exactly the opposite. Part IV of this legislation consists of amendments to the Environmental Protection Act. At the beginning of my

remarks, I explained the difference between the Environmental Protection Act and the Environmental Assessment Act. These amendments to the Environmental Protection Act appear to be tacked on to this piece of legislation because they really bear no relation whatever to parts I, II and III, and as this legislation is being carried by the minister responsible for the greater Toronto area, I would argue that while many of the provisions of part IV are eminently supportable, some of them cause grave concern, and part IV of this legislation really should be a separate piece of legislation carried by the Minister of the Environment to respond to those who have legitimate concerns about the impact of part IV. Some parts of part IV could be considered housekeeping, but other parts of part IV are really quite significant.

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I believe it would be very proper for the minister to separate out part IV so that we could properly debate amendments to the Environmental Protection Act separate from those sections and parts of this bill which deal with the establishment of landfill sites in Peel and York and a transfer station in Durham. We should be able to deal separately with amendments to the Environmental Protection Act rather than having them tacked on to a part of the bill establishing a waste authority.

I would argue that part I of this bill is a separate piece of legislation. Part II and part III could be separate bills, and certainly part IV bears no relationship whatever to parts I, II and III. These should be four separate bills. That would be a better way of proceeding, because having them all tacked together is really very confusing and does not allow for the proper scrutiny of part IV, which amends the Environmental Protection Act, whereas part III overrides the Environmental Protection Act. How do we make sense out of that in one piece of legislation?

I have said this piece of legislation is not what it seems to be. When I heard what the minister had to say in the statement on April 2, this is not what I expected in November. I listened very closely to what the minister had to say. All four sections of this piece of legislation are separate and distinct, but they are not part of a comprehensive strategy that the Minister of the Environment has spoken about in this House. They are piecemeal: "Put it together, package it up, table it and pass it quickly before anybody notices what you are really doing."

Why was part IV added? I believe it really is a smokescreen to argue that those amendments to the Environmental Protection Act are urgent and should move forward. I think you could make a very good argument that they should move forward, but they should move forward as amendments to the Environmental Protection Act. To suggest to the people in a communication strategy that part IV is in any way related to parts I, II and III borders on the dishonest. I know the Minister of the Environment is not a dishonest person, but when you create a smokescreen you make people cynical. When you tell them a piece of legislation does one thing when it also does something else, that makes people cynical.

The concerns I have about this legislation on behalf of my constituents are very profound. I know the minister

will suggest that if this legislation does not move quickly, terrible things are going to happen. I simply do not believe that, and there is no evidence to prove it. No evidence has been presented by this minister that would suggest there is the kind of emergency she has told us there is. Emergencies do not happen overnight, particularly in the middle of a recession. I know the staff at the Ministry of the Environment are highly qualified, very able and very capable. They watch and they monitor. In those almost 15 months of wasted time, effort and energy, I know they would have alerted the minister long before now if there really was a crisis.

When the minister stood up in this House a year ago and announced there was no crisis, there would be no gap and she could cancel the environmental protection hearings on the interim sites that were proposed by the previous government, I know she had to have been advised by the ministry staff as to what the situation really was. I know in the last year the situation has improved, not deteriorated.

In the press release the minister put out at the time this legislation was tabled, she said the ministry officials were monitoring the capacity of the existing sites. We know waste is being shipped across the border. We know we are in the middle of a recession and less waste is being produced. We also know the 3R program begun by the former government under the leadership of the member for St Catharines is working. People are reducing, reusing and especially recycling. My constituents are.

Hon Mr Wildman: That's because they don't want to ship the garbage out to the north.

Mrs Caplan: The Minister of Natural Resources interjects that my constituents do not want to ship the garbage out. I would argue they do. They ship the garbage to their curbs and the garbage truck comes and picks it up. My constituents do not know where that garbage is taken.

Hon Mr Wildman: You mean they don't care?

Mrs Caplan: They do not know if it is taken to Brock Road, they do not know if it is taken to Britannia, they do not know if it is taken—

Hon Mr Wildman: We have more confidence in your constituents than you do.

Mrs Caplan: My constituents know that when they put their garbage out, it is taken away to Keele Valley or Britannia or Brock Road or some other site that is available somewhere in the province. What my constituents want to know, what they are really interested in and what they care about is that the best environmental solution is found. That is what they care about. I am surprised the Minister of Natural Resources would not understand that. He asks, "Don't your constituents care?" Yes, they care. They do care.

Hon Mr Wildman: I think they do care; you don't. You want to ship it out.

The Deputy Speaker: Order. There is special time allocated at the end of the debate to ask questions or to make any comments. I hope the member will understand that.

Hon Mr Wildman: On a point of order, Mr Speaker: I would have been quite willing to wait till the end to comment, but it seems like that will never come.

The Deputy Speaker: I think the member understands that very clearly. The member for Oriole, I would ask you to address the Chair.

Mrs Caplan: I know the Minister of Natural Resources does not like what I have to say about this piece of legislation. I can understand that. The truth hurts. He knows this piece of legislation is an embarrassment to his colleague the minister responsible for the greater Toronto area. He knows this piece of legislation is an embarrassment to the Premier. He knows this piece of legislation is an embarrassment to the NDP. He knows the more public scrutiny there is of this piece of legislation, the more embarrassed he will become.

I understand his interjections and I want to assure him my constituents care that we find the very best environmental solution to our waste management problems in this province. My constituents care that the New Democratic government has said no arbitrarily to the Kirkland Lake option—arbitrarily, without an environmental assessment to see if it is the best solution. They care that the NDP has said no arbitrarily to energy from waste, sometimes called incineration. I do not know if that is the best solution. I know there are some people who feel very strongly and very passionately about the results of incineration. We know that in the disposing of garbage there is no environmentally perfect solution. Each one creates some concern.

1710

I am dedicated, on behalf of my constituents, to speaking out passionately in support of whatever is the best available solution. I want the facts. I want them tabled in this House. I want to know what is the best technology. If energy from waste is an option, if there are new technologies available that make that environmentally safer, I think we should be able to consider it. This piece of legislation does not allow the consideration.

I am not saying, "Do it." I am saying, "Consider it." I have had a number of discussions with a number of people who would enter the debate and say technology is changing so rapidly that only those who are shortsighted, not willing to listen, doctrinaire, ideologically driven or living in the past would close their mind to considering something which is newly developed. We are living in a world which is changing so rapidly that we cannot afford the luxury of precluding any options which might be a better solution.

There are those who would say that energy from waste and the incineration option should be considered because the best available technologies in 1991 are better than the landfill option, that the environmental protection would be better. I want to know.

Mr Abel: What about that?

Mrs Caplan: The member opposite says, "What about that?" I agree with him. What about it? We should have those facts and we should be able to compare. The Environmental Assessment Act, always referred to around here as the EAA, would allow for that kind of assessment to be

done. I am not an expert in environmental matters, I am not an expert on the new technologies that are being developed, but I will say on behalf of my constituents that I am willing to listen and I am willing to learn and I am willing to be convinced by research and facts and data presented by the experts and the people who know.

I want to hear what the best way is to protect the environment for future generations, what the best way is to rid ourselves of our garbage. While I am not an expert on the technology and I am not an engineer, I have the same good commonsense approach that many of my constituents have when they respond to the kind of decision that says: "We will not even consider other alternatives. We will not even consider other options. Do not confuse us with facts." My constituents are upset, and I say rightly so. We have a responsibility as leaders, as elected members of this House, to get all of the information, to make sure that decisions of government are held up to scrutiny and that better alternatives are proposed if they are available.

That is one of the major concerns I have with Bill 143 because it precludes the opportunity to look at alternatives. It says no, as opposed to why. It says no, as opposed to how. I believe that is fundamentally not in the interest of the people of this province. It is not in the interest of the people of Metropolitan Toronto. This takes an ideological, doctrinaire approach to an issue that I believe should not be partisan.

The disposal of waste and how we deal with our garbage should not be a partisan issue, but it has become a partisan issue because the New Democratic Party and the New Democratic government have taken a position which, by the way, is very different than the position they took during the election campaign. During the election campaign, the people of this province believed the Premier when he went around to every proposed site and said: "You don't have to take Toronto's garbage. We would require a full environmental assessment on every new site. We would require an environmental assessment on every expansion of an existing site." They believed he meant what he said. It would not cost him anything to keep that promise. It is going to cost him a lot to break that promise. It is costing him his credibility. It is damaging, very damaging, because it is costing him the trust of the people of this province.

He knew of the sensitivities around this issue, and when faced with a solution where the people of Kirkland Lake said, "Do an environmental assessment; see if this is a good idea; check this one out," the answer was: "No, we will not consider it. It is unthinkable. This does not fit with our ideology. We do not want to even consider this proposal or approach."

Everyone I talk to is still waiting for the answer to the question, "Why not?" Why would the government not even look at a proposal that might be a better environmental solution? Why would this piece of legislation, Bill 143, say that by law you cannot consider that? The law says you cannot consider an option that may prove to be better, more environmentally sound for the people not only of greater Toronto but of this province. My constituents just do not understand it.

When we look at Bill 143 and the four components of the act, we see many things that are very disturbing. I mentioned before that part I calls the waste authority the Interim Waste Authority. Yet it establishes a crown corporation with broad powers and we expect that the waste authority is going to be in place for 20 years. That is very upsetting to people. Why is the government calling it an interim authority if it is going to be there for 20 years? People ask me: "What are they trying to hide? What are they worried about? Why don't they call it what it is?" It is a crown corporation, a scheduled agency at arm's length from the government but controlled by the government.

Part II outlines criteria for the long-term site selection process. What we have heard is a lot of cynicism about when those sites are going to be announced. They want to know: "Why the delay in announcing the potential sites? Why are you waiting? What relationship does that list have with this piece of legislation?" People are very suspicious. They are suspicious because they have been told one thing and yet something else is happening. The Premier said one thing and is doing another. The Minister of the Environment said one thing and is doing another. That makes people very suspicious.

1720

Part I of this bill, as it gives its powers to the Interim Waste Authority, states that the authority has the right to enter to test land. It gives the inspectors such powers in subsection 10(2), to "use such force as is reasonably necessary to execute the warrant and call on police officers to assist in the execution of the warrant."

It was explained to me that before they can call in the police they have to ask permission, but they can only call the police once permission has been denied—and this is seen as reasonable. The way this is going to work is that if the Interim Waste Authority identifies a piece of land that someone owns and it wants to test it, it will phone the person up and say, "We would like to come on to your land and test your site," who says, "No, I don't want you on my land," and it says, "Well, then we're going to call the police and get a warrant," and it can walk in and test the land. That is what this legislation says.

It says in subsection 11(4) that any person who obstructs an inspector carrying out an inspection is guilty of an offence. We were told it probably would be a fine, perhaps up to \$5,000. One would not go to jail. That will be good news to the member for Victoria-Haliburton. If one chains himself to a tree on the property or locks himself to the fence, there is a fine, but not jail.

I would say that the provisions of part I of this bill provide far-reaching powers to government-appointed inspectors from the waste authority. This legislation provides no rights to land owners who do not want to give access to their property. The inspectors are given sweeping powers, enhanced by inspection warrants and police backup, when required to come on to the property to test it against the owner's will. That is what part I of this legislation creates. That is what the NDP government in Ontario is creating: a waste authority with those kinds of powers.

The bill provides land owners with no right of refusal if an inspector wishes access to their land. If a land owner

refuses entry, the inspector can obtain a warrant. If the land owner obstructs entry by an inspector who is armed with a warrant, he will be guilty of an offence. The land owner is powerless to prevent access to his property by a ministry inspector.

And they want this—this is just part I of a four-part bill—passed by Christmas. I do not believe the government knows what it is doing.

Any supporter of fundamental civil rights would find these measures not only draconian; they have far-reaching implications precedent-setting in their nature, given that government-appointed inspectors will be given legislative authority to do whatever is required to obtain access to private property for the purpose of inspection, for the purpose of waste management.

Imagine: The New Democratic Party in Ontario forms the government and the first thing it does is bring in a piece of legislation within one year which has the kinds of draconian and far-reaching implications that remove the rights of land owners and allow the use of force for the purpose of finding a dump.

Mr Miclash: On a point of order, Mr Speaker: The member is talking about some very important information here and I think other members would like to be present for it. I do not believe we have a quorum in the House.

The Deputy Speaker: I would ask the table to advise me on that. Would you please advise me?

Clerk Assistant and Clerk of Journals: A quorum is present.

The Deputy Speaker: A quorum is present.

Mrs Caplan: Part II, which states the criteria for the long-term site selection process, has some ambiguity I would like to point out, and I hope this will be clarified and fixed. It might just be an oversight, because we have had the commitment from the Minister of the Environment that the long-term site selection would be subject to a full Environmental Assessment Act process, yet in part II of this act the site selection process states it will be "consistent with the principles of." So one of the questions I have is what that means, "consistent with the principles of." And given the draconian nature of part I and part III, can we take comfort and be assured that the long-term site selection of the yet-unnamed sites will in fact be under the Environmental Assessment Act, which will require an assessment of different sites and their relationship to each other so that the best option can be found?

As I said before, part II does limit some of the options. I think it is important that we point out that this legislation precludes the option of incineration. This also precludes the option of shipping waste to any willing host community. The minister continues to limit options for waste disposal rather than giving the kind of technical and thoughtful consideration to all options. I point that out as a legitimate criticism.

In the time I have available, I would agree once more to having a full debate on all of the options. A thoughtful and a reasonable person would suggest it is not proper to allow pure ideology, pure doctrine, to limit the explorations of finding the very best option. The minister today

has not presented any technical rationale for the absolute banning of incineration; neither has she given any technical analysis for prohibiting the shipment to Kirkland Lake. We have not had any technical analysis of why the Kirkland Lake proposal would be unacceptable from an environmental point of view. She said no to the environmental assessment, but she has not given us any information other than pure ideology. It seems to me that to make a decision that is based on ideology and limits options is not only irresponsible, it is irrational in 1991.

I point out that there are tremendous inconsistencies in this legislation as well. I have used the words "ideology" and "doctrinaire" to describe the approach of the minister, but I suggest respectfully that we have not seen even that consistently applied, because the minister has stated that there should not be the transportation of waste at the same time, in Ontario today, that Kingston is shipping its waste to Ottawa and many municipalities and many private businesses are shipping waste out of this country and across the border. So we have seen an inconsistent approach even to shipping of waste.

Hon Mr Hampton: Our contribution to free trade.

1730

Mrs Caplan: The Attorney General says this is his contribution to free trade. I do not find that humorous.

Interjection.

Mrs Caplan: My colleague the member for Kenora asks if the Attorney General knows what he is talking about, and I would have to say that the Attorney General does not. He has not been properly briefed. I do not think he knows what this legislation is, because if he did, I do not think he would support it. He certainly would not have supported it if he was in opposition, and now that he is in government, he has been muzzled. I do not think he really has been properly informed as to what this legislation is.

I suggest to the Attorney General and to others in this House that there are some very serious issues that this piece of legislation raises which have not been properly addressed. Under part IV of this act, which is packaged as amendments to the Environmental Protection Act—as I said before, some of them are seen as housekeeping but others are really quite significant—the minister repeals section 29, which gives the minister emergency powers, and then amends section 29, which gives over powers in large part to the director.

In pressing for this bill before Christmas, the minister has said that there will be dire consequences. The knowledge and information I have suggests that under the existing legislation, the Minister of the Environment has all the powers she needs to be able to act in an emergency. The fact that she suggests she must have this legislation by Christmas is simply not telling it as it really is. She does not have to have this in order to act. Section 29 of the Environmental Protection Act is just one of the many powers the minister already has so that if there is a true emergency, she can deal with it.

Section 29 is meant to deal with short-term solutions to waste disposal crises. However, the minister is giving legislative authority to a director to order a municipality to

accept from, or ship waste to, another municipality in order to deal with that crisis. At the same time, she is not going to allow the transport of waste to be given any consideration by the Interim Waste Authority in its search for a long-term solution to the management of solid waste in the greater Toronto area. To me, that just does not make sense.

If she has within her emergency powers now the right to look at transportation of waste as a solution, why would she not allow the waste authority to explore that as an option if it is cheaper and more environmentally sound? One of the concerns I have about the approach taken by this minister is that she has precluded a number of options which may be better environmentally, more cost-effective and in the interests of the greater public good, and yet she has precluded those options.

There are a number of sections of this legislation which I think should be discussed. Subsection 13(2) also states that the agency—that is, the Interim Waste Authority—in determining required capacity for each landfill site, will use estimates provided by the minister. I suggest that section 13 really will undermine the independence and the expertise of the agency that is being established to determine what the long-term capacity need for the greater Toronto area is going to be.

I suggest that the waste authority, in doing its analysis of the service area to be served, will study the potential population growth and business development in the region to determine the capacity of the disposal area required for the next 20 years. While the government has attempted to distance itself from the process of site selection and determining capacity needs by the establishment of an independent authority to conduct the site selection, it has, by the same token, involved itself by dictating to the authority the capacity that will be required for each of the landfill sites. I think that is an inconsistency in the bill that may seem technical to some but is significant and important. If the minister is going to establish a waste authority, it has to have responsibility for gathering the data and looking at the capacity requirements and not just responding to the beck and call of the minister. She has to give this authority the responsibility to do the job; she has to give it the resources to do the job.

One of the concerns I think some of my constituents and certainly some of the members of Metropolitan Toronto council have is that this waste authority that will be following the orders and acting at the beck and call of the minister will be giving the bill to the municipalities that will have no say. They see this authority potentially as a buffer between them and the minister. They say, "Look, Mrs Grier, you own the garbage problem."

Mr Grandmaitre: You created it.

Mrs Caplan: The member for Ottawa East interjects that the Minister of the Environment created the problem. In fact, I agree with him that she did.

The councillors are concerned that this waste authority will create another problem because it will just be a buffer and it will be able to hand the bill to the municipalities rather than showing the kind of leadership and direction

and developing the kind of expertise an authority will have to have over the next 20 years to be able to properly manage solid waste in the greater Toronto area.

I think the capacity issue is an important one because the capacity, as it will be dictated by the government, will be based on the ministry's best estimates of the effectiveness of its own 3R program over the next 20 years. This will require the Ministry of the Environment to prejudge the effectiveness of the forthcoming waste reduction regulations. I would say there is a lot of uncertainty about that.

I think it is going to be really important that the Minister of the Environment have an objective appraisal of what is going to be needed. Who could be more objective than an independent authority that has been established for that very purpose? If she gives them the power to go in and take rights away from land owners to test land and the power of expropriation, why would she not give them the power to collect the data and then stand accountable for the information so that they can properly judge capacity? Surely the ministry can give information as well, but it has to be up to the authority to plan for proper capacity.

It does not seem to me that is a reasonable approach. I suggest this situation unfortunately could be very similar to the situation the Minister of the Environment found herself in with the soft drink container issue. We had a situation where she stated her objective was a 30% refillable quota and she requested another agency—in that case it was the investigations and enforcement branch—to carry out her order.

Let me tell the members how good the Minister of the Environment's order was. It is now down to 7%. When there was failure of compliance, the minister stood back and said: "It's not my fault. It's the responsibility of the investigations and enforcement branch. I will tell them to keep at it." It is a very unrealistic, very unacceptable and, I would say, very disappointing approach.

In this particular case we are talking about the capacity requirement for long-term disposal sites and the minister could, by miscalculation, set unreasonable diversion targets. When these targets are not met and more waste is calculated as being required in the landfill, the waste authority will have to bear the responsibility. So why not allow the waste authority to judge what the capacity requirement is going to be and plan for it and get on with the job?

1740

One of the questions I have to ask about section 16 of Bill 143 concerns intervenor funding. Is it because the government does not intend to designate the search for long-term landfill sites under the Environmental Assessment Act, or is it because the government does not plan on renewing the Intervenor Funding Project Act when it is sunsetted, that section 15 deals with intervenor funding?

I do not understand. The government has an intervenor funding act and it also has an Environmental Assessment Act. My question really relates to why it has section 16 in this bill, since intervenor funding is dealt with in another and, I would argue, more appropriate way in the intervenor funding act and the Environmental Assessment Act. Those

are legitimate questions that should be responded to as this legislation is discussed more fully.

Part III I find, as I said, most offensive. This is the section where the minister gives herself the power to override requirements as outlined in the following pieces of legislation. Let me just list them for the members of the government caucus who are here. I know members of my caucus are very aware of what those legislative requirements are today and what this legislation overrides.

This legislation overrides the Environmental Protection Act, the Environmental Assessment Act, the Ontario Municipal Board Act, the Municipal Act, the Planning Act, the Regional Municipality of Durham Act, the Regional Municipality of Peel Act, the Regional Municipality of York Act and the Municipality of Metropolitan Toronto Act.

All those pieces of legislation were put in place to allow for proper planning, evaluation, environmental assessment, environmental considerations and full and proper public hearings. All those pieces of legislation are trashed by this piece of legislation. Bill 143 trashes the protections in those pieces of legislation. It is there, it is clear. I know a lot of people do not believe that, but it is true.

The minister responsible for the greater Toronto area, who is also Minister of the Environment, the member for Lakeshore-Etobicoke, requires in section 17 the regional municipality of Durham to establish a waste management system which consists of at least one transfer station, and it goes on. It overrides every piece of legislation I listed.

There is no consideration given to what the project will cost the region. According to Durham, the transfer station would cost the region over \$49 million in capital costs and \$26 million in operating costs. It is estimated that this cost will add between \$250 and \$300 to each householder's municipal tax bill.

When I say this legislation overrides all those pieces of legislation, it also imposes tremendous cost burdens on the taxpayers in those municipalities that are affected directly by this legislation. That includes, very specifically, my constituents in the riding of Oriole.

The minister's order requires the regional municipality of Peel to extend the Britannia Road landfill site even though there is an agreement that the site would close. Even though there is a legal binding agreement, this legislation overrides that agreement and breaks faith with the people in that community.

It is very unlikely the long-term sites will be identified and approved before 1997. Therefore, Britannia will be forced to accept additional waste for five years longer than was originally agreed to, and Keele Valley will likely have to take wastes for three years longer than was anticipated.

Section 17 of part III orders regional municipalities to comply with the minister's order, even if in doing so it would require contravention of an agreement that is binding on the municipality or of the Planning Act. This section is included for the minister to be able to override a current agreement between the city of Mississauga and the region of Peel and an agreement between the city of Toronto and the town of Vaughan. Those agreements state under

what conditions the region will accept waste and that upon the landfill reaching capacity the agreement will terminate.

Not only do these amendments override agreements pertaining to the greater Toronto area, but agreements such as these exist in other parts of the province as well. When I say this is a precedent-setting piece of legislation, I say to the people in Cobourg and Hamilton township, who have a similar agreement: "Beware. This is a precedent that is established and it can affect you." Once the precedent is established here, the next time it will be much easier, because they will be able to say, "There was a precedent established under Bill 143, so what's the problem?" I say to the people of Kingston and Ottawa: "You have an agreement very similar to the agreement between Peel and the region. Beware. This precedent could affect you in the future."

Sections 17 and 18 ensure that there will be no provision in any piece of legislation pertaining to the regions of Peel, York, Durham or Metropolitan Toronto which may restrict the region's ability to carry out a minister's order. That is the complete and absolute override of all the protections that are afforded to the people in those municipalities today, and it establishes a precedent I believe could affect every municipality and community across this province.

Under the NDP's plan to deal with the greater Toronto area garbage gap, there will be no opportunity for public input. There will be no environmental assessment or even hearings under the Environmental Protection Act. This is far-reaching legislation that provides no recourse for residents surrounding the relevant landfill sites, nor any recourse for regions or municipalities affected by the minister's orders.

The minister has only succeeded in alienating herself from people in those regions and from elected officials in choosing this kind of draconian action, and as I said earlier, now is the time for co-operation. Now is the time for a climate of working together to find solutions. What this piece of legislation does is make that kind of co-operation impossible.

By imposing her emergency powers, with no consultation and no consultative process, the minister will succeed in having Britannia and Keele Valley expanded. However, in the long term, she will have done immeasurable damage to herself, her own personal credibility and her reputation, to the reputation of the government and to the reputation of the Premier.

1750

In the long term, the people of this province will not be well served. Expanding a landfill site with no environmental assessment and with no opportunity for public input will not be forgotten. It will not be forgotten by the residents in the particular area affected. It will not be forgotten by the elected municipal and regional officials. It will not be forgotten by those of us who stand witness to this plan being put in place by a government that once defended individual rights, that once defended community rights and that once defended and protected the interests of people who wanted to be heard.

In opposition the NDP was a defender of due process. I suggest that once the people of this province understand

what is being perpetrated by this piece of legislation, they will come forward and protest and argue and vent their frustration because they are feeling deceived. It will go beyond disappointment. The minister and the Premier do this at their peril. The people of Oriole expect better of them. They want them to protect the environment. They want them to find the best solutions. They want them to protect and enhance people's rights, not take them away.

This will not be easily forgotten by my constituents or theirs, I say to the members of the NDP government caucus. Those who believed that an NDP government would make great strides towards environmental protection will be wounded and deeply disappointed and will not forget.

Unfortunately, not much time remains, but I would like to put on the record my disappointment that the Minister of the Environment has not been in this House to hear these debates. Because of that, I do not believe she will be able to adequately respond. I urge her to reconsider this shortsighted approach. I urge her to listen to what she is being told.

The Association of Municipalities of Ontario, the community of Kirkland Lake, elected representatives in Peel, Durham, York, Metropolitan Toronto and others around this province are saying that this legislation is inadequate in the extreme, premature at best, simplistic for sure, draconian in its approach, autocratic, bureaucratic, expensive and a terrible precedent. I ask the minister to split the parts of this bill so that they can be dealt with individually as separate pieces of legislation, because that would be appropriate.

I do not think anyone has an objection to the establishment of a waste authority, but let's call it what it is: a waste authority. Let's be able to discuss fully and properly what powers they should have and how, within those powers, people's rights can properly be protected. Let's discuss what is the actual capacity available in existing landfill sites and what the process should be for dealing with a gap should it occur.

Maybe a better option is incineration, and maybe a better option is to ship the garbage out for a short while rather than imposing lifts without an environmental assessment and without an environmental hearing. Let's consider those alternatives. Let's consider part IV of this bill as what it really is, amendments to the Environmental Protection Act, and let's take that opportunity to explain to the people of this province what the Environmental Protection Act is all about, because by including those amendments in this piece of legislation we miss that opportunity to give the people of this province the information they need.

There are some, like my colleague the member for Essex South, who share my concern that this legislation and the speed with which the government is trying to ram it through this House are an attempt to make sure that the people of this province do not know what is going on, do not know what it has planned and do not know the implications for them. The very title of this bill suggests that this is about the greater Toronto area. It is not. This precedent-setting piece of legislation is of concern and of interest to people and communities right across this province, and they deserve to have their say.

The greater Toronto area has almost four million people, four million out of 9.5 million people. People of my riding are part of those four million people. Forty-four per cent of the population of this province lives in the greater Toronto area. They are affected directly by this piece of legislation. Their taxes are going to go up because of this piece of legislation. Their environmental protection may not be enhanced because of this legislation. Their options are going to be limited and their rights are being taken away by this piece of legislation.

I believe this is a very sad day. This is a very sad day because the people of my riding are just starting to realize

that not only was the Agenda for People shredded and trashed, but so were the principles that the Minister of the Environment stood for on the day she tabled this legislation and so were the principles of rights for the individual, rights for the community, due process, participation. They were trashed on the day that this piece of legislation was tabled in this Legislature.

I would say to the Minister of the Environment that I will not remain silent and allow her to do this unchallenged.

The House adjourned at 1800.

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Carter, Jenny (Peterborough ND) parliamentary assistant to
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disability issues, seniors' issues and race relations
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Minister without Portfolio, chief government whip/
Ministre sans portefeuille, whip en chef du gouvernement

Cordiano, Joseph (Lawrence L) Vice-Chair, standing committee
on social development/Vice-Président du Comité permanent
des affaires sociales

Cousens, W. Donald (Markham PC)

Cunningham, Dianne (London North/-Nord PC) Progressive
Conservative chief whip/Whip en chef du Parti
progressiste-conservateur

Curling, Alvin (Scarborough North/-Nord L) opposition deputy
whip/whip adjoint de l'opposition

Dadamo, George (Windsor-Sandwich ND) parliamentary
assistant to Minister of Transportation/Adjoint
parlementaire du ministre des Transports

Daigeler, Hans (Nepean L)

Drainville, Dennis (Victoria-Haliburton ND) parliamentary
assistant to Minister of Municipal Affairs; Chair, select
committee on Ontario in Confederation/Adjoint
parlementaire du ministre des Affaires municipales,
président du Comité spécial sur le rôle de l'Ontario au sein
de la Confédération

Duignan, Noel (Halton North/-Nord ND) Chair, standing
committee on the Legislative Assembly; Co-Chair, special
committee on the parliamentary precinct/Président du
Comité permanent de l'Assemblée législative, coprésident
du Comité extraordinaire de l'enceinte parlementaire

Elston, Murray J. (Bruce L)

Eves, Ernie (Parry Sound PC) Progressive Conservative House
leader/Chef parlementaire du Parti progressiste-conservateur

Farnan, Mike (Cambridge ND) First Deputy Chair of the
Committee of the Whole House/Premier vice-président du
Comité plénier de l'Assemblée législative

Fawcett, Joan M. (Northumberland L)

Ferguson, Hon/L'hon Will (Kitchener ND) Minister of
Energy/Ministre de l'Énergie

Fletcher, Derek (Guelph ND) parliamentary assistant to
Minister of Consumer and Commercial Relations/Adjoint
parlementaire du ministre de la Consommation et du
Commerce

Frankford, Robert (Scarborough East/-Est ND)

Gigantes, Hon/L'hon Evelyn (Ottawa Centre/-Centre ND)
Minister of Housing/Ministre du Logement
Grandmaître, Bernard C. (Ottawa East/-Est L)

Grier, Hon/L'hon Ruth A. (Etobicoke-Lakeshore ND) Minister of the Environment, minister responsible for the greater Toronto area/Ministre de l'Environnement, ministre responsable du Bureau de la région du grand Toronto

Haack, Christel (St. Catharines-Brock ND) Vice-Chair, standing committee on the Ombudsman/Vice-Présidente du Comité permanent de l'ombudsman

Hampton, Hon/L'hon Howard (Rainy River ND) Attorney General/Procureur général

Hansen, Ron (Lincoln ND)

Harnick, Charles (Willowdale PC)

Harrington, Margaret H. (Niagara Falls ND) parliamentary assistant to Minister of Housing/Adjointe parlementaire du ministre du Logement

Harris, Michael (Nipissing PC) leader of the Progressive Conservative Party/Chef du Parti progressiste-conservateur

Haslam, Hon/L'hon Karen (Perth ND) Minister of Culture and Communications/Ministre de la Culture et des Communications

Hayes, Pat (Essex-Kent ND) parliamentary assistant to Minister of Agriculture and Food (agriculture)/Adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation (agriculture)

Henderson, D. James (Etobicoke-Humber L)

Hope, Randy R. (Chatham-Kent ND) parliamentary assistant to Minister of Community and Social Services/Adjoint parlementaire du ministre des Services sociaux et communautaires

Hugert, Bob (Sarnia ND) parliamentary assistant to Minister of Energy/Adjoint parlementaire du ministre de l'Énergie

Jackson, Cameron (Burlington South/-Sud PC) Chair, standing committee on estimates/Président du Comité permanent des budgets des dépenses

Jamison, Norm (Norfolk ND) parliamentary assistant to Minister of Industry, Trade and Technology, responsible for small business/Adjoint parlementaire du ministre de l'Industrie, du Commerce et de la Technologie, délégué aux Affaires des petites entreprises

Johnson, Paul R. (Prince Edward-Lennox-South Hastings/Prince-Edward-Lennox-Hastings-Sud ND) parliamentary assistant to Minister of Revenue/Adjoint parlementaire du ministre du Revenu

Jordan, W. Leo (Lanark-Renfrew PC)

Klopp, Paul (Huron ND) parliamentary assistant to Minister of Agriculture and Food (food)/Adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation (alimentation)

Kormos, Peter (Welland-Thorold ND) Chair, standing committee on resources development/Président du Comité permanent du développement des ressources

Kwinter, Monte (Wilson Heights L)

Lankin, Hon/L'hon Frances (Beaches-Woodbine ND) Minister of Health, minister responsible for the provincial anti-drug strategy/Ministre de la Santé, ministre déléguée à la Stratégie antidrogue provinciale

Laughren, Hon/L'hon Floyd (Nickel Belt ND) Deputy Premier, Treasurer of Ontario and Minister of Economics/Vice-premier ministre, Trésorier de l'Ontario et ministre de l'Économie

Lessard, Wayne (Windsor-Walkerville ND) parliamentary assistant to Minister of Colleges and Universities/Adjoint parlementaire du ministre des Collèges et Universités

Mackenzie, Hon/L'hon Bob (Hamilton East/-Est ND) Minister of Labour/Ministre du Travail

MacKinnon, Ellen (Lambton ND) Vice-Chair, standing committee on regulations and private bills/Vice-Présidente du Comité permanent des règlements et projets de loi privés

Mahoney, Steven W. (Mississauga West/-Ouest L) chief opposition whip/Whip en chef de l'opposition

Malkowski, Gary (York East/-Est ND) parliamentary assistant to Minister of Citizenship, responsible for human rights, disability issues, seniors' issues and race relations/Adjoint parlementaire de la ministre des Affaires civiques, déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales

Mammoliti, George (Yorkview ND) parliamentary assistant to minister responsible for the provincial anti-drug strategy/Adjoint parlementaire de la ministre déléguée à la Stratégie antidrogue provinciale

Mancini, Remo (Essex South/-Sud L) opposition House leader; Chair, standing committee on general government/Chef parlementaire de l'opposition, président du Comité permanent des affaires gouvernementales

Marchese, Rosario (Fort York ND) parliamentary assistant to the Premier, parliamentary assistant to Minister of Intergovernmental Affairs/Adjoint parlementaire du premier ministre, adjoint parlementaire du ministre des Affaires intergouvernementales

Marland, Margaret (Mississauga South/-Sud PC) Vice-Chair, standing committee on estimates/Vice-Présidente du Comité permanent des budgets des dépenses

Martel, Hon/L'hon Shelley (Sudbury East/-Est ND) Minister of Northern Development and Mines/Ministre du Développement du Nord et des Mines

Martin, Tony (Sault Ste Marie/Sault-Sainte-Marie ND) parliamentary assistant to Minister of Education/Adjoint parlementaire de la ministre de l'Éducation

Mathysen, Irene (Middlesex ND) parliamentary assistant to Minister of the Environment, government whip/Adjointe parlementaire de la ministre de l'Environnement, whip du gouvernement

McClelland, Carman (Brampton North/-Nord L)

McGuinty, Dalton J.P. (Ottawa South/-Sud L)

McLean, Allan K. (Simcoe East/-Est PC) Vice-Chair, standing committee on government agencies/Vice-Président du Comité permanent des organismes gouvernementaux

McLeod, Lyn (Fort William L)

Miclash, Frank (Kenora L) opposition chief whip/Whip en chef de l'opposition

Mills, Gord (Durham East/-Est ND) parliamentary assistant to Solicitor General/Adjoint parlementaire du Solliciteur général

Morin, Gilles E. (Carleton East/-Est L) Deputy Speaker and Chair of the Committee of the Whole House/Vice-Président et Président du Comité plénier de l'Assemblée législative

Morrow, Mark (Wentworth East/-Est ND) Chair, standing committee on the Ombudsman; Vice-Chair, standing committee on administration of justice/Président du Comité permanent de l'ombudsman, vice-président du Comité permanent de l'administration de la justice

Murdoch, Bill (Grey PC)

Murdock, Sharon (Sudbury ND) parliamentary assistant to Minister of Labour/Adjointe parlementaire du ministre du Travail

North, Hon/L'hon Peter (Elgin ND) Minister of Tourism and Recreation/Ministre du Tourisme et des Loisirs

O'Connor, Lawrence (Durham-York ND) parliamentary assistant to minister responsible for the greater Toronto area/Adjoint parlementaire de la ministre responsable du Bureau de la région du grand Toronto

Offer, Steven (Mississauga North/-Nord L)

O'Neil, Hugh P. (Quinte L)

O'Neill, Yvonne (Ottawa-Rideau L) opposition deputy whip/
Whip adjointe de l'opposition

Owens, Stephen (Scarborough Centre/-Centre ND) parliamentary assistant to Minister of Financial Institutions, government whip/Adjoint parlementaire du ministre des Institutions financières, whip du gouvernement

Perruzza, Anthony (Downsview ND) parliamentary assistant to Minister for Skills Development/Adjoint parlementaire du ministre de la Formation professionnelle

Philip, Hon/L'hon Ed (Etobicoke-Rexdale ND) Minister of Industry, Trade and Technology/Ministre de l'Industrie, du Commerce et de la Technologie

Phillips, Gerry (Scarborough-Agincourt L)

Pilkey, Hon/L'hon Allan (Oshawa ND) Solicitor General, Minister of Correctional Services/Solliciteur général, ministre des Services correctionnels

Poirier, Jean (Prescott and Russell/Prescott et Russell L)

Poole, Dianne (Eglinton L) Vice-Chair, standing committee on public accounts/Vice-Présidente du comité permanent des comptes publics

Pouliot, Hon/L'hon Gilles (Lake Nipigon/Lac-Nipigon ND) Minister of Transportation, minister responsible for francophone affairs/Ministre du Transport, ministre délégué aux Affaires francophones

Rae, Hon/L'hon Bob (York South/-Sud ND) Premier, Minister of Intergovernmental Affairs/Premier ministre, ministre des Affaires intergouvernementales

Ramsay, David (Timiskaming L)

Rizzo, Tony (Oakwood IND)

Runciman, Robert W. (Leeds-Grenville PC) Chair, standing committee on government agencies/Président du Comité permanent des organismes gouvernementaux

Ruprecht, Tony (Parkdale L)

Scott, Ian G. (St. George-St. David L)

Silipo, Hon/L'hon Tony (Dovercourt ND) Chairman of the Management Board of Cabinet, Minister of Education/Président du Conseil de gestion du gouvernement, ministre de l'Éducation

Sola, John (Mississauga East/-Est L)

Sorbara, Gregory S. (York Centre/-Centre L)

Sterling, Norman W. (Carleton PC)

Stockwell, Chris (Etobicoke West/-Ouest PC)

Sullivan, Barbara (Halton Centre/-Centre L)

Sutherland, Kimble (Oxford ND) parliamentary assistant to Chairman of the Management Board of Cabinet; Vice-Chair, standing committee on finance and economic affairs/Adjoint parlementaire du président du Conseil de gestion du gouvernement, vice-président du Comité permanent des finances et des affaires économiques

Swarbrick, Anne (Scarborough West/-Ouest ND)

Tilson, David (Dufferin-Peel PC)

Turnbull, David (York Mills PC)

Villeneuve, Noble (S-D-G & East Grenville/S.-D.-G. & Grenville-Est PC) Second Deputy Chair of the Committee of the Whole House/Deuxième vice-président du Comité plénier de l'Assemblée législative

Ward, Brad (Brantford ND) parliamentary assistant to Minister of Industry, Trade and Technology with responsibility for trade and technology/Adjoint parlementaire du ministre de l'Industrie, du Commerce et de la Technologie et délégué au Commerce et à la Technologie

Ward, Margery (Don Mills ND) parliamentary assistant to Minister of Government Services/Adjointe parlementaire du ministre des Services gouvernementaux

Wark-Martyn, Hon/L'hon Shelley (Port Arthur ND) Minister of Revenue/Ministre du Revenu

Warner, Hon/L'hon David (Scarborough-Ellesmere ND) Speaker; Co-Chair, special committee on the parliamentary precinct/Président, coprésident du Comité extraordinaire de l'enceinte parlementaire

Waters, Daniel (Muskoka-Georgian Bay/Muskoka-Baie-Georgienne ND) parliamentary assistant to Minister of Tourism and Recreation; Vice-Chair, standing committee on resources development/Adjoint parlementaire du ministre du Tourisme et des Loisirs, vice-président du Comité permanent du développement des ressources

Wessinger, Paul (Simcoe Centre/-Centre ND) parliamentary assistant to Minister of Health/Adjoint parlementaire de la ministre de la Santé

White, Drummond (Durham Centre/-Centre ND) Chair, standing committee on regulations and private bills/Président du Comité permanent des règlements et projets de loi privés

Wildman, Hon/L'hon Bud (Algoma ND) Minister of Natural Resources, minister responsible for native affairs/Ministre des Ressources naturelles, ministre délégué aux Affaires autochtones

Wilson, Hon/L'hon Fred (Frontenac-Addington ND) Minister of Government Services/Ministre des Services gouvernementaux

Wilson, Gary (Kingston and The Islands/Kingston et Les Îles ND) parliamentary assistant to Minister of Culture and Communications/Adjoint parlementaire de la ministre de la Culture et des Communications

Wilson, Jim (Simcoe West/-Ouest PC)

Winniger, David (London South/-Sud ND) parliamentary assistant to Attorney General, parliamentary assistant to minister responsible for native affairs/Adjoint parlementaire du Procureur général, adjoint parlementaire du ministre délégué aux Affaires autochtones

Wiseman, Jim (Durham West/Durham-Ouest ND) parliamentary assistant to Minister of Correctional Services/Adjoint parlementaire du ministre des Services correctionnels

Witmer, Elizabeth (Waterloo North/-Nord PC)

Wood, Len (Cochrane North/-Nord ND) parliamentary assistant to Minister of Natural Resources/Adjoint parlementaire du ministre des Ressources naturelles

Ziemba, Hon/L'hon Elaine (High Park-Swansea ND) Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations/Ministre des Affaires civiques, déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales

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Finance et affaires économiques

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Vice-Chair/Vice-Président: Vacant

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Clerk/Greffière: Tannis Manikel

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Règlements et projets de loi privés

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Vice-Chair/Vice-Présidente: Ellen MacKinnon

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Rôle de l'Ontario au sein de la Confédération

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Members/Membres: Dianne Cunningham, Remo Mancini, Kimble Sutherland

Clerk/Greffier: Smirle Forsyth

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